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A History of the English Church

Edited by the late Very Rev. W. R. W. Stephens, D.D., F.S.A.,
Dean of Winchester,
and the Rev. William Hunt, D.Litt.

VIII

THE ENGLISH CHURCH

IN THE NINETEENTH CENTURY

PART II

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HISTORY OF

THE ENGLISH CHURCH

VOL. 8. pt. 2.

IN THE NINETEENTH CENTURY

PART II

BY

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ERRATA

Part II

Page 24, at end, for "French" read "Trench."
,, 64, first column (Lincoln), above "Grantham" add "Nottingham" (with bracket).
,, 83, line 9 from bottom, for "St. Barnabas', Wilton Place," read "St. Paul's, Knightsbridge."
,, 83, line 2 from bottom, for "St. Barnabas'" read "St. Paul's."
,, 149, line 5 from bottom, for "Sidney H." read "Sidney Faithorne," and Index, p. 444 (Green, Sidney), for "H." read "F."
,, 202, line 9 from bottom, for "David" read "Daniel."
,, 238, line 27, for "1871" read "1866."
,, 302, line 5 from bottom, for "his maiden" read "only his second."
,, 305, inset, for "surplus" read "revenues."
,, 306, inset, for "Constituent Convention" read "Church Convention."
,, 307, line 4, for "in the communion of" read "in communion with."
,, 359, lines 7 and 8, delete "the Pusey House,".
,, 360, line 4, for "Ezra" read "Kings."
,, 374, line 11 from bottom, for "C.M.S." read "H.E.I.C."
,, 376, line 14, for "1863" read "1864."
,, 377, line 24, for "at Cawnpore . . . Central India," read "At Amritsar a mission was set up . . . Lahore; at Cawnpore by the S.P.G., and in Central India, etc."
,, 377, last line, for "the whole" read "a great part of the."
,, 380, line 9, for "George Candy . . . missionary" read "George Candy was one of the first missionaries."
,, 380, line 11, after "hindrances" add, "the C.M.S. Bombay mission was instituted in 1820."
,, 381, line 6, for "eighteen" read "twenty-two"; for "1894" read "1898."
,, 381, line 23, for "He" read "French."
,, 383, lines 10 *sqq.*, delete "Society for . . . in the East, the," and after "Zenana . . . Society" add "and similar Societies." Delete "and" after "Mission."
,, 386, second paragraph, for "Charles Moule" read "Handley Moule."
,, 388, line 16, delete "out."
,, 388, line 17, "for all but eighteen" read "nearly all."

[OVER

Page 397, line 6, for "Uganda" read "Eastern Africa."
,, 397, line 10, delete "and much of his travelling was done by water."
,, 402, line 2, for "Mrs. Milman" read "Frances M. Milman."
,, 414, line 2, for "steamer" read "yacht."
,, 422, line 21, for "Algona" read "Algoma."
,, 422, line 10 from bottom, for "scholar" read "medallist."
,, 434 (Province of Canada), delete "Columbia, 1859." After "Toronto" delete "(Metrop.)," and after "Ottawa" add "(Metrop.)."
,, 434 (Province of Rupertsland), add

"Yukon (formerly Selkirk), 1890."
"Keewatin, 1899."

,, 434 (before Province of Rupertsland), add

"In British Columbia
Columbia, 1859.
Caledonia, 1879.
New Westminster, 1879.
Kootenay, 1899."

,, 435, first column (under Asia), delete comma after "Labuan."

CHAPTER I

RITUAL AND DOCTRINE

RITUAL is the expression of doctrine. The ceremonial of the Roman Church was evolved from sacramental doctrine under a sacerdotal system; the simplicity or bareness of Protestant ritual symbolised the revolt from sacramentalism, and specially from the eucharistic doctrine of the Church of Rome. The spirit of the Church of England, which neither imposed nor excluded high eucharistic doctrine, was represented by the moderate ritual which prevailed in England with little change for three centuries after the Reformation. When the growth of the High Church school of thought, culminating in the movement of 1833, had brought high eucharistic and sacramental doctrine forward, and when the mediæval Church became an object of veneration, it was to be expected that a revival of ritual should take place; the more so because symbolism of all kinds was attracting more and more attention.

The origin of ritual.

The principle of Tract 90 brought back into the Church of England such forgotten tenets or practices as the Sacrifice of the Mass, elevation and reservation of the sacrament, extreme unction, the doctrine of purgatory, prayers for the dead, invocation of saints, and 'the whole body of Tridentine doctrine.' Such a principle, interpreted by the ingenious logic of Newman, and carried into action by less scrupulous men than himself, proved to be a 'universal solvent,' the action of which tended to efface all that was distinctive of the Church of England.

The central doctrine of the Church of Rome, the Real

Presence, absent, for the most part, from Anglican teaching for three hundred years, though high sacramental doctrine had always been held by a remnant in the Church, was reintroduced by the Oxford Movement in various shades of definition, which extended from the opinion of Bishop Cosin to a view hardly to be distinguished from transubstantiation. The quest of 'Catholic' doctrine, in this new sense of the word, led the tractarian clergy to enhance the importance of every part of the service in which the doctrine of the Real Presence might be set forth. They assumed a theory which the law courts were in no hurry to allow, that the vestments ordered by the First Book of Edward VI. were lawful, together with all the church furniture which could be proved or might be assumed to have been in use at the beginning of that reign. Under the plausible formula 'omission is not prohibition' were gradually introduced eucharistic vestments, candles and incense, and many other observances copied directly from the Roman use.

In 1842 Bishop Blomfield delivered a Charge to the clergy of his diocese, in which he condemned the 'Tridentine' additions to the teaching of Tract 90, but said at the same time that if it was wrong to go beyond the directions of the rubrics, it was equally wrong to fall short of them. These words caused dissension in the diocese; the Bishop found himself unable either to restrain excess of ritual in some churches, or in others to raise the level even so far as to restore what the Charge recommended, viz., the use of the Prayer for the Church Militant and of collections at the Offertory. Evangelical Islington demanded a special exemption from any change in its customary observances; other congregations claimed a like liberty in the opposite direction, and between too much and too little the Bishop became unpopular, and withdrew his instructions. But the mischief was done: the surplice, acquiesced in for 300 years, again became a badge of discord. A surplice at the Communion Table was decorous and harmless, in the pulpit it was a popish innovation.

Blomfield's Charge, 1842.

Many causes contributed to a revival of ceremonial, and when attention was drawn to the Ornaments Rubric and the First Prayer Book of Edward VI., ideas of ritual developed rapidly. Indeed, if we judge from external appearances, the

history of the Church during the last fifty years might seem to be the history of ritual, so large a space does ritual occupy in the public attention. But those who know will tell you that ritual is only valuable as it symbolises doctrine, that in the Church of Rome, where it has its fullest development, the subordination of ritual to doctrine is consistently taught, that in the beginning of the Oxford Movement, which contained the seed and promise of the future development, ritual was hardly thought of, and that for several years after the commencement of the Oxford Movement very little progress was made in its development. 'There is no reason to suppose that the question of vestments or of ritual was ever a prominent one in Mr. Newman's mind,' writes the editor of his Letters; and the other leaders of the party paid little attention to it. But movements are judged by their developments no less than their origins; the study of Roman doctrine taught the Tractarians that the Roman ritual had grown up round the doctrine of the Real Presence, and they turned their teaching and their practice in that direction. Pusey and Keble, though in their own use adding nothing to the sober ceremonial of their youth, heartily supported the advance of ritual, when they saw that it helped high doctrine and bound congregations together.

Symbolism of ritual.

The early Tractarians and ritual.

Archæology counted for something in the Oxford Movement, though in the minds of its first beginners it held an inferior place. Arnold, indeed, saw in the admiration of Christian antiquity little more than 'the antiquarianism of Christianity, not its profitable history,' and even from the High Church point of view there is a danger, now as then, of preferring what is incidental to what is essential, merely because it is ancient. At the time of the Oxford Movement much attention was being generally given to the study of mediæval antiquity, and especially to various branches of ecclesiology, and the foundation of the Architectural Society at Oxford in 1838 and the Camden Society at Cambridge in 1839 is a sign of the times. The names of the subscribers were those of the High Church party at the two universities, and the danger of popery which lurked under ecclesiology was soon remarked. The ball had

Study of archæology.

been set rolling, and a new fashion began; the churches were cleaned and restored to decency, more attention was given to altar furniture and the vestments of the clergy, and in spite of Archbishop Howley's warning against novelties in 1841, here and there bold experiments were tried; the introduction of more frequent communions, observance of holy days, the wearing of eucharistic vestments, the surplice in preaching and in the choir, flowers, candles, and crosses on the communion table, chanting and intoning, genuflexions, crossings, turning to the east in the Communion Service, and other innovations. Some of these observances were commented upon by John Wilson Croker in the *Quarterly* in 1843; but they came in by degrees; he makes no allusion to bowing to the altar, genuflexion, or crossing, and apparently had never heard of vestments or incense.

Blomfield's Charge, 1850.

These things drew the attention of Bishop Blomfield, whose Charge of 1842 had encouraged innovation; and in another Charge, delivered in 1850, he condemned such practices as 'histrionic,' while at the same time he warned his clergy against the opposite error of negligence in the conduct of service, and disregard of the rubrics. The attention of the public was caught, and riots ensued at several places, among which those in Mr. Courtenay's church, St. Sidwell's, Exeter, were conspicuous. These occurrences took place at the time when the Church was greatly agitated by the hubbub caused by Tract 90, and when the 'Puseyites,' at the same time that they introduced new ceremonies, or new ways of performing familiar ceremonies, also laid stress on primitive doctrine, catholic usage, prayers for the dead, veneration of the saints, and other tenets and practices which were generally looked upon as obsolete or objectionable; besides adopting a novel, and, as it seemed to many, an affected manner, speech, and dress.

'Puseyite' innovations.

Bennett appointed to St. Paul's, Knightsbridge, 1840.

The Rev. James William Early Bennett, minister of Portman Chapel, was appointed by the Bishop of London in 1840 to the charge of the district church of St. Paul, Knightsbridge. He was at that time, by his own account, a moderate High Churchman, without any tendencies to ritualism. His appointment to St. Paul's nearly coincided with the crisis of the

tractarian movement, of which as it grew he became a hearty partisan. Blomfield was not a Tractarian, but was supposed to be not unfriendly to the Oxford school. Bennett was a man of high principle and clear views. He was also opinionated and combative. He looked upon his parish as a field for spreading the views of doctrine and ritual which he had recently adopted; and by degrees, fortifying himself by his Bishop's Charge of 1842, he went beyond what the Bishop could approve. The Bishop had quoted with approval a sentence written by William Fleetwood, Bishop of St. Asaph in the reign of Anne: 'the ceremonies allowed in practice in the Church, though not enjoined by the Rubric, are such as were used in the Church *before* and *when* the Rubrics were made; and, being reasonable and easy and becoming, were not enforced by any new law, but were left in possession of what force they had obtained by custom. He that complies not with these ceremonies offends against no law, but only against custom, which yet a prudent man will not lightly do, when once it has obtained in general.' From this passage Bennett deduced that any ceremony lawfully in use at the Reformation or earlier, and not directly forbidden, might lawfully be revived: he passed over the warning at the conclusion, not to offend against custom. Bennett did not blossom into full-blown ritual at once. The Bishop had recommended 'discretion as to the time and mode'; but by degrees Bennett introduced more 'novelties' than the Bishop meant when he said, in his much-quoted Charge, that novelties might be 'a return to the anciently established order of the Church.'

The door opened towards mediævalism disclosed so wide a passage, and the tractarian clergy were so busy in enlarging it, that all discipline was threatened; the authority of 'Erastian' bishops was questioned, and the 'Voice of the Church' appealed to as a rule of conduct. It does not argue inconsistency in Blomfield if in 1842 he viewed omission of ritual with less complacency than addition, and in 1850 thought the fault of excess more dangerous than that of defect. The circumstances were different; the movement had become

Alarm excited by ritualistic observances.

aggressive, and those who led it openly denied the Bishop's right to command. Bennett, whilst declaring his profound respect for and deference to his Bishop, did as he thought fit, and interpreted silence as acquiescence or approval. His zeal and ability and his success with his parishioners made the Bishop support him, until the crisis in Church matters arrived which may be dated from Newman's secession to Rome in 1845. Defections to Rome now became so frequent, and the fear of the confessional, and all the evils which were supposed to attend it, so acute, that tractarian practices and principles were discussed, not only in university common rooms and on religious platforms, but in every company and in every newspaper. The opposition, Bennett tells us, 'began to take shape about the year 1847'; that is to say, about the time when the tide of secessions to Rome was running at its highest, and the pretensions of the extremists were most inflated.

Division of the High Church party.

The practices and doctrines of which Bishop Blomfield disapproved, though he did not officially forbid them, were far behind what is now considered as high ritual. It was then unusual to preach in a surplice, to chant the Psalms and Services, to intone the prayers, to dress the choir in surplices and make them walk in procession, to close chancel gates, to baptize after the Second Lesson, and so forth; Bennett also used the eastward position at the celebration of Holy Communion, bowed to the altar, set up upon it a retable or super-altar, a cross, and candles, which he lighted during Holy Communion; he also vested the altar with coverings of various material and colour, and decorated it with flowers.

Bennett's innovations.

How far matters have proceeded in the direction of ritual in the last fifty years, in the absence of any effective controlling force, may be seen from a letter written by the Bishop in 1851, in which he says that he thinks it very inexpedient to introduce cathedral service into parish churches, and objects to the chanting of the Psalms, to the wearing of surplices by the persons composing the choir, and to their walking in procession; practices now so common, if not universal, that it is difficult to understand the opposition which they excited. And if these minor matters

Bishop Blomfield's position, 1851.

were looked upon with suspicion, much more the extreme doctrine symbolised and preached in Bennett's churches.

Bishop Blomfield, in his Charge of November 1850, which was alluded to by Lord John Russell in the notorious Durham Letter, published a few days later,[1] referred to continual changes of position, genuflexions, crossings, peculiarities of dress, and church decoration, as 'a poor imitation of the Roman ceremonial,' and emphatically declared his 'entire disapproval of such practices.' He wished no form of ritual to be introduced which was not expressly prescribed by the Rubric and Canons, or sanctioned by long-established usage.

His Charge to his clergy, 1850.

The Prime Minister and the Bishop were seconded not only by the press, which translated the Bishop's moderate language into violent invective, but by the London mob, and by a Protestant clamour throughout the country. 'Suspicion and dislike,' says Bennett, 'began gradually to grow upon us all.' Some began to speak of 'Popery and Rome,' and the Bishop was moved to take action; but as he had no power of coercion, so long as the Rubric was not actually infringed, and as his opponent was a clever controversialist, he was at a disadvantage. The principal points of disagreement were the cathedral character of the services at St. Paul's, and a form of prayer for the dead which was circulated in the parish for private use during the outbreak of cholera. On this last subject Bennett, after lecturing the Bishop on his want of deference to old Anglican divines, and discussing the alternatives of obedience, resignation of his living, silent disobedience, and open disobedience, chose the last, on the ground that he must follow the doctrine of the Church of England, not that of any individual bishop. He would accept no decision of the Church, much less of his Bishop, which did not square with what he knew to be Catholic truth. The situation was impossible; but Bennett persisted in holding his cure and defying the Bishop.

Bennett's conscientious disobedience.

The pressure of population and need of more church accommodation were felt in Bennett's parish as well as in other parts of London, and credit is due to him for the zeal

[1] See Part I. 346.

and industry which resulted in the building of St. Barnabas' Church, Pimlico. The building was ornate and adapted for high ritual. It is difficult to understand, and so Bennett found it, why Bishop Blomfield, if he objected to high ritual, sanctioned 'a rood screen, a chancel highly decorated, an altar of stone, diapered work and panelling throughout, painted glass in every window, and gilded capitals, and all other points of ornament corresponding,' but so it was. He 'did not like' this and that, but made no serious difficulties, and finally, on St. Barnabas' Day, June 11, 1850, consecrated the church in person, thus condoning all that had gone on up to this date. The Bishop chose his time ill, and did not inquire carefully into the evidence of Romish practices brought before him. He might have been better advised if he had made objections at this point: but he appreciated the liberality and good works of Bennett, by whose energy and munificence the church of St. Barnabas and the college attached to it had been built; and the cause of Church extension in London is that with which his own name was honourably connected: it was therefore right and natural that he should be as lenient as possible.

Consecration of St. Barnabas', Pimlico, 1850.

The affair was complicated by the 'No Popery' disturbances, which fell with special fury upon St. Barnabas' church and clergy, and made the Rector more than ever unwilling to yield. The noisy mob who burnt Popes and Guys in the streets on Gunpowder Day, 1850, found congenial amusement provided for them Sunday after Sunday at the West End churches; and the sister churches of St. Paul, Knightsbridge, and St. Barnabas, Pimlico, were for several years the scene of disgraceful rioting. If the services in those churches were conducted according to law, the magistrates and police authorities were to blame for not interfering effectively in the interest of public order. If they were illegal, as they were certainly opposed to the use and custom of the Church, and distasteful to the great majority of Churchmen, the authorities ought not to have looked idly on at the outrages which took place. Though there was some excuse for an irregular protest of the public, there was no excuse for the violence and brutality which were only too common in the disturbances

Riots at St. Paul's and St. Barnabas' Churches, 1850.

that took place here and in other churches, such as St. Peter's and St. George's in the East.

On November 17, 1850, two hundred persons, many of them well dressed, tried to force their way into St. Barnabas' Church, but were kept out by a force of police in plain clothes who had been stationed among the congregation. Some persons were taken in charge, but the summonses were dismissed by a magistrate who showed 'visible emotion' in dealing with the case. Indeed the behaviour of the police and their superiors, even the Home Secretary himself, Sir George Grey, was such throughout the church riots as to suggest that they sympathised with the rioters rather than with the injured parties, who, as most people thought, had only themselves to thank for their ill-treatment by the mob. The clergy assumed an uncompromising attitude; on the next Sunday the Rector went out of his way to defend from ancient precedent, church and statute law, and modern authority, the practice of altar lights. No wonder that he was interrupted by coughing, hissing, and stamping, and had trouble in getting to the end of his sermon without more forcible interference. Such disturbances are difficult to deal with when the victim or his cause is unpopular. The police act unwillingly, the magistrates will not punish, the press is unfriendly, the bishop keeps aloof as much as he can, or counsels moderation to deaf ears, and all parties are aware that the troubles will cease when the cause is removed, and that if the troubles go on long enough the cause will probably be removed. Then there is indignation at the 'triumph of the mob'; but how is it to be helped?

It is not our business here to estimate the rights and wrongs of the affair, which were discussed in every newspaper. If Bennett wished to avoid scandal he might have abstained from the ritual to which the Bishop objected. If he would not do this, he might have resigned his cure at once. But if the doctrinal meaning of the ritual was so important that his conscience forbade him to obey his Bishop by omitting it, how was he justified in resigning his cure, as he did at last? The situation was arguable. Bishops should be superior to popular clamour; bishops should maintain their own authority;

bishops are right in standing up for Protestantism, are wrong in persecuting devoted clergymen; clerks should obey their ordinary; clerks should not be coerced in cases of conscience. It was said in defence of the Bishop that his action in sparing Bennett as long as possible, and his general attitude of leniency, kept many clergymen and laymen in the Church who were ready otherwise to go to Rome; that he helped to prevent the erection of a free episcopal church after the tractarian model. On the other hand, he was blamed for severity; and to this his answer was that if he had erred, he had erred by too much forbearance.

Bishop Blomfield's Charge, 1850.

'I have been told,' he said in his Charge of 1850, 'that I had no authority to forbid anything which was not in express terms forbidden by law; and that practices which, though purposely laid aside by the Church and so by implication condemned, have not been actually prohibited, are therefore lawful; and that canonical obedience to a bishop is only that which he can enforce in a court of law; and so the innovations which I objected to have been persisted in, with additional changes from time to time, with the manifest purpose of assimilating the services of our Reformed Church as nearly as possible to those of the Roman.'

Interpretation of formularies.

In the matters of ritual, discipline, and doctrine which troubled the Church during the nineteenth century, there has always been present one chief cause of doubt and difficulty, the fact that all parties are bound to a set of formularies which cannot be altered according to the needs of the age, and which are interpreted according to their own reading by all the parties within the Church. Doctrine is obscured, discipline crippled, and ritual intolerably distorted, so long as the only power to command is the discordant opinion of one set of lawyers after another as to the precise meaning, or the degree of latitude allowable in the interpretation, of ancient rules, drawn up at different times, to suit different circumstances, and with no regard for consistency.

The disorder and scandal caused by these events could not be removed by the presence of policemen. Bennett, baited by the mob, frowned upon by his Bishop, and reviled

in the newspapers, wrote a vehement letter to Lord John Russell, laying the blame upon him, and continued to disobey the Bishop's orders. Such a course could only have one ending, and the Bishop at length called upon him to resign his living, as he had promised to do, if called upon by his Bishop; Bennett complied, his resignation taking effect in March 1851. Bennett may have been a martyr, but he was a very troublesome martyr, and the principle which he enunciated, that a bishop can only claim obedience to godly monitions and canonical commands, and that it is for the clergyman to settle whether the monitions and commands are godly and canonical, would entirely destroy episcopal authority; for if the command of the bishop is only to be obeyed when it agrees with the voice of the Church, and the voice of the Church cannot be heard because Convocation is dormant, and Convocation, if it were effective, might still err, and the so-called ecclesiastical courts have no authority, it remains that every man's opinion is to him the voice of the Church, and that he owes no obedience to any command but that of his own conscience. And so we come round, by the way of authority, to the extremest doctrine of private judgment, the clergyman's claim, as Tait put it, 'to disobey the Bishop's command on his own private interpretation of what he deemed to be the law.'

Bennett resigns his benefice, 1851.

The Papal Aggression of 1850, the Durham Letter, and the agitation which ensued, stimulated the popular dislike of innovation amongst all classes of the people; and in March 1851 an address to the Crown was signed by 231,000 people, praying the Queen to take measures for the repression of 'novelties'; and in the same month and year the Archbishop of Canterbury and his suffragans issued a joint Pastoral, which, from its official weight and its unanimity, should have been a document of great importance, for it was signed by all the bishops except four, Bagot, Prince Lee, Hampden, and Phillpotts. But people are seldom unanimous except where agreement is easy, and the tone of the Pastoral was not authoritative, because there was no power behind it to compel obedience. The gist of the letter was to advise the clergy to adopt 'the rule of

Address to the Queen, 1851.

common practice,' sanctioned by the prescription of three hundred years.

'We have viewed,' say the bishops, 'with the deepest anxiety, the troubles, suspicions, and discontents which have of late in some parishes accompanied the introduction of ritual observances exceeding those in common use among us.' They lament the continuance of the evil and the appearance of a new and dangerous element, viz.: the principle that 'whatever form or use existed in the Church before its reformation may now be freely introduced and observed, unless there can be alleged against it the distinct letter of some formal prohibition.' They protest against this theory. The English Church at the Reformation not only rejected certain conceptions, but intended to establish one uniform ritual. But 'a licence such as is contended for is wholly incompatible with any uniformity of worship whatsoever, and at variance with the universal practice of the Catholic Church'; and they recommend moderation to all parties. It is noticeable that the bishops make no charge of illegality against the 'rubricians' or 'ultra-rubricians,' as those were then called who professed to be following the lines traced by Blomfield's Charge of 1842, and only testing by their advance the limits of legality. Any changes, said the bishops, were in themselves likely to do harm, especially such changes as would make the services of the Church less congregational. The fear of further innovations was expressed; not an unreasonable fear, in view of the extreme opinions and practices of the party to whom the usage of Rome was in itself a recommendation of any novelty or revived antiquity; finally, the clergy were exhorted to have recourse to their bishops in case of doubt, and to abide by their decision.

Episcopal Letter.

The episcopal letter produced little if any effect. The old tradition of discipline was wearing out, and rebellious clergymen were aware that if they chose to disobey their bishop, the expense and uncertainty of litigation were a safeguard against any attempt on his part to enforce obedience. The Bishop of Exeter, it is true, appeared as plaintiff or defendant, appellant or respondent, from first to last in more than fifty ecclesiastical suits; but there are few bishops who have the

relentless energy and the perpetually burning zeal and wrath of Henry Phillpotts.

On resigning his London living, Bennett was presented by the Dowager Marchioness of Bath, one of his former congregation at Portman Chapel, to the Vicarage of Frome Selwood, Somerset. The last incumbent had been an Evangelical, and an unsuccessful petition was presented to the Bishop of Bath and Wells, Lord Auckland, to refuse institution. Bennett's place at St. Paul's, Knightsbridge, and St. Barnabas', Pimlico, was taken by the Hon. and Rev. Robert Liddell, who made some changes in the ornaments and ritual of the two churches, but did not pacify objectors.

The first case in which Mr. Liddell was concerned was a suit brought before the Consistory Court of the diocese of London in March 1854, by Charles Westerton, churchwarden of St. Paul's, for the removal of a stone altar and cross, candlesticks and candles, a credence table, and various coloured altar coverings. The action Beal *v.* Liddell, known as the St. Barnabas' case, brought at the same time and for the same purposes, was to a similar effect, and need not be treated in detail here; it was argued with the St. Paul's case in the Consistory Court, in which Dr. Lushington pronounced judgment on December 5, 1855, and decreed a faculty for removing from St. Paul's the credence table and all altar coverings but one; from St. Barnabas' the credence table, the stone altar and cross upon it, and also a cross erected on the chancel screen. The candlesticks and candles were allowed, but it was ruled that the candles must not be lighted except to give necessary light.

Westerton *v.* Liddell, 1854.

Lushington's judgment, 1855.

Liddell appealed to the Court of Arches, and judgment was delivered on December 20, 1856, by Sir John Dodson, Dean of the Arches, affirming the rulings of Dr. Lushington.

Arches Court judgment in Liddell *v.* Westerton, 1856.

Liddell appealed again, and the case came before the Judicial Committee. The rulings of the Court, as delivered by the judge, Pemberton Leigh, afterwards Lord Kingsdown (21 March 1857), were as follows:—

Judgment of the Judicial Committee, 1857.

(1) The term 'ornaments' applies only to articles used in

the services of the church, not to decorations set up as ornaments. (2) The words 'authority of Parliament' in the Ornaments Rubric refer solely to the Act 2 and 3 Edward VI. c. 1, and to the Prayer Book (the 'First Book') which it established. (3) Crosses as distinguished from crucifixes, which are unlawful, are lawful as architectural decorations, but not if attached to or placed on the Communion Table. (4) Stone tables or altars are unlawful: the table must be of wood and movable. (5) Credence tables are lawful. (6) Embroidered cloths may be used during the time of service, but embroidered linen and lace may not be used in the Communion Service.

The judgment went fully into arguments from use and disuse, doctrine and practice. With respect to the stone altar at St. Barnabas', the Consistory Court and the Court of Arches were bound by the decision of Sir H. Jenner Fust in the case of Faulkner *v.* Litchfield in 1845. The Judicial Committee were not bound by decisions of inferior courts; but they referred to and confirmed the Arches judgment in the case of Faulkner *v.* Litchfield, which refused a faculty to erect a stone altar and credence table in the church of St. Sepulchre, Cambridge. The ruling in that case was that 'enactments and authorities of the sixteenth and seventeenth centuries' must override the practice of antiquity, and had 'a more direct bearing on disputed questions of English ritual than citations from ecclesiastical historians or patristic writers'; and that the substitution of 'table' for 'altar' was not a mere verbal change, but that the sacramental doctrine connected with the idea of an altar was implicitly condemned by the substitution of the word 'table' for 'altar' in the rubrics, and that this change had been consistently carried out in practice at the Reformation, altars being removed or destroyed in all churches, and movable tables of wood set in their place. The Court must proceed precisely in the same manner as it would in construing other Acts of Parliament. 'It is to be observed that the object in framing Edward VI.'s Second Prayer Book' [1552] 'was the removal of old superstitions; and when one of the modes of carrying that object into effect was to be the abolition of all altars,' as being connected with the doctrine of Transubstantia-

Decisions as to 'altar' and 'table.'

tion, 'it must be that something more than a mere alteration of name was intended.' The Injunctions of Elizabeth (1559) are also cited as a complete substitution of the movable table for the fixed altar, and it is noted that by the Canons of 1571, which were approved by Convocation, and though not binding as law are admissible as evidence of the mind of the Church, the table is directed to be 'of wooden planks, joined'; and that the Canons of 1604 (agreeing in this with the Queen's Injunctions of 1559) direct that the table shall be moved from its customary place, which is not defined, to a convenient place 'within the church or chancel.' The judge thought that the distinction between 'table' and 'altar' was not in any way removed by the alterations made in 1662, when the last review of the Book of Common Prayer took place.

Pemberton Leigh's judgment in the Judicial Committee, 1857.

The principle laid down by Pemberton Leigh, in delivering the judgment of the Judicial Committee, was that, though in modern usage the Communion Table is in fact never moved, yet the distinction between an altar and a table, both as to doctrine and as to ritual, is essential; and that such circumstances as the material and the possibility of removal, not important in themselves, must be attended to as positive rules, and enforced by law.

Decision as to vestments.

An important point in this trial was that which concerned vestments, though the use of vestments was not objected to by the respondent, and therefore the opinion of the court was no more than an *obiter dictum.* The term 'ornament,' it was ruled, is used *pro quocumque apparatu seu implemento* employed in divine service, but does not include articles not used in the services, but set up in churches as 'ornaments,' *i.e.* decorations. It is confined to such articles as were in use 'by authority of Parliament,' *i.e.* under the Act of Parliament 2 and 3 Edward VI. c. 1, which gave Parliamentary effect to the First Prayer Book of Edward VI.; and does not include articles the use of which is prescribed by canons or injunctions having the authority of Parliament made at an earlier period. The natural conclusion from this judgment, though the legality of vestments was not under review, was that the eucharistic vestments, chasuble, alb, and tunicle, were lawful 'ornaments' in the sense of the Rubric and

statute. As that judgment did not affirm that 'the use of all articles not expressly mentioned in the Rubric, although quite consistent with, and even subsidiary to, the service, is forbidden,' the clergy of advanced views made the most of the word 'subsidiary,' which was meant by the judges to indicate such neutral things as 'pews, cushions to kneel upon, pulpit-cloths, hassocks,' etc.; and construed it as including lighted candles at the time of Holy Communion, incense, the mixed chalice, wafer-bread, holy water, and other things belonging to mediæval usage, but generally believed to have been condemned and taken away at the Reformation.

May the Court decide *secundum libertatem*?

A question which is not clearly decided by the judgment in the case of Liddell *v.* Westerton is whether the judges, who, as it is admitted, must not go beyond the plain meaning of the formulary, are to take into consideration, with a view to that meaning, the opinions of the framers, which were presumably different in 1547, in 1552, and in 1559; *i.e.* are to treat the question historically as well as grammatically; and secondly, whether, whilst defining the usage intended by the framers (as in the Gorham case they implicitly, though not in terms, defined doctrine), they may also permit variety in usage, as in the Gorham case they permitted variety in doctrine, by deciding that to hold Gorham's doctrine was not so 'contrary or repugnant' to the doctrine of the Church of England as to incapacitate a clergyman from holding a benefice. In both cases, and in all such cases, the opinion which has gained ground is that the best decision is that which makes for comprehension, not that which makes for uniformity.

Advance of ritualism.

A book entitled *Directorium Anglicanum* was published in 1858 by the Rev. John Purchas of St. James's, Brighton, in which full and elaborate directions were given for the celebration of Mass according to the use of the Church of England. The book might appear at the time almost too absurd to be intended seriously: but it was taken by not a few of the clergy as their guide in conducting the services of the Church; and a great growth of ritual marked the period between Liddell *v.* Westerton (1857) and the cases of Martin *v.* Mackonochie (1868) and

Hebbert *v.* Purchas (1871). Those who made this advance knew their own minds; their opponents, representing from various points of view Protestantism, tolerance, indifference, or the anti-clerical spirit, were loud in protest but weak in action; they had nothing in common but the 'No Popery' cry; the arm of the law was cumbrous to move, and often missed its stroke or dealt a counterstroke. The offenders denied the validity of Privy Council judgments, or protested that they had no force in defining law, but that each decision made its own law and no precedent: the expense of legal proceedings made litigation difficult; it was felt that thanks were due to the High Church party for having raised the tone of private and public devotion, and that the clergy who held extreme opinions were also those who led the most self-sacrificing lives among the poor. This feeling shortened Bishop Blomfield's hand in dealing with Bennett; and in other cases as well as his, the good deeds of disobedient clergy made it difficult to enforce discipline.

St. George's in the East, 1856-1859.

The condition of the parish of St. George's in the East had long been a difficulty to Bishop Blomfield. This district, near the Docks, was at that time one of the most brutal and criminal in all London. All the sailors, fresh ashore, who came to the port of London, were discharged here, to be preyed upon by thieves, land-sharks, and publicans. In the words of one who worked there, 'The recklessness of vice, the unblushing effrontery with which it is carried on, when the lowest of every country combine to add their quota to the already overflowing stock, can scarcely be conceived. The public-houses are chiefly kept by foreigners, as are very many of the lodging-houses, whilst most of them live upon the vices of the sailors. . . . A staff of prostitutes is in fact part of the stock-in-trade, and instances could be adduced in which houses of ill-fame have been attached to the public-houses or rented by their owners.'

Bryan King, Rector of St. George's in the East.

The Rector of St. George's, Bryan King, had held the living since 1842; unaided and personally ill-fitted for the charge of a parish of 38,000 souls, he had been able to do little to Christianise them. His predecessor seldom if ever came near the

church, and left the parish to be cared for by a single curate. King was a man of strong religious feeling, a stiff and narrow though thoroughly sincere High Churchman; he had entered on his incumbency in the same year in which Bishop Blomfield desired the clergy of London to use the surplice in preaching, and in other ways to raise the standard of ritual. He had obeyed these orders, but had not attended to the warnings which had come from the Bishop since that time, against insisting too much upon rubrical exactness, or even adding to the rubrics. Many innovations, now grown familiar, but then strange and disturbing, had been growing up in London churches for the past ten years; and side by side with the development of ritual had grown the bitterness of those who disliked and feared ritual, as carrying out the ideas of the extreme Oxford school and bringing in Roman doctrine. In the church of St. George's in the East the Psalms, Canticles, and Litany were chanted by a surpliced choir. The parishioners disliked this, but as King's sincere belief was that the spiritual control of the parish was committed to him without any conditions as to the wishes of his parishioners, it was not to be expected that he would give way. His congregation diminished; and when in 1856 he determined to adopt the eucharistic vestments, popular discontent broke out into open violence. The services were interrupted by unseemly noises, the clergy and choir were hustled; and most of those who committed these offences were neither parishioners nor Churchmen nor Dissenters, but people of no religion at all; 'the most unabashed disturbers were boys and girls.' The vestry of St. George's unanimously addressed the new Bishop (Tait) with a representation that 'on account of the religious difference between the Rector and his parishioners there had not been a single charity sermon for sixteen years, either for the National Schools or for the local or medical charities, although these sermons were frequent before that time.'

Ritual at St. George's.

King adopts eucharistic vestments, 1856.

Among the practices in King's parish to which the Bishop took exception was the circulation of a catechism, in which, amongst other questionable matters, it was stated that the first in honour of bishops is the Bishop of Rome, the

Patriarch of the West; that it is a commandment of the Church to confess our sins to our pastor or some other priest; and that the Eucharist is the true Body and Blood of Christ, under the appearance of bread and wine. This is enough to show that the doctrine no less than the external ritual brought in by King was a cause of division in his parish.

The Rector described his position in language which is its own comment: 'The number of souls nominally entrusted to my charge was about 38,000. . . . When I allude to the amount of the merely ordinary routine of clerical duties in the celebration of the daily services and the occasional religious offices, it will not be a matter of any surprise if I now confess that beyond the exercise of something like discipline in regard to a few extreme cases—such as the refusal to give Christian burial to unbaptized children, or to permit the bodies of some who had died in open sin to be taken into the church for that portion of the Burial Service, and the refusal to communicate one or two notorious evil livers—I was never able even to make any attempt at anything like active aggression upon the seething mass of evil and sin by which I was encompassed.' We can only ask why he did not say, 'I am unable to manage this parish; I beg the Bishop of the Diocese to manage it for me'; or resign a position which his own unwisdom and want of sympathy made untenable.

Though King would neither administer his parish nor resign his cure, he had done the next best thing in offering the parish as 'a suitable sphere for the experiment of a preaching mission,' which the Rev. F. H. Murray, Rector of Chislehurst, one of the founders of the Society of the Holy Cross, was desirous of forwarding. Accordingly a mission was begun, with the sanction and support of Bishop Blomfield, now very near the end of his course, and Charles Lowder, one of the curates at St. Barnabas', Pimlico, with some like-minded friends, undertook to work in it. In the sequel he became the head of the mission, its life and soul; being indeed, as King wrote to him, 'the one man wanted' for the post.

Charles Lowder, mission priest at St. George's, 1856.

It has never been difficult, as the instance of Lord George Gordon shows, to rouse the mob of London to Protestant fury. The traditional church feeling of the old-fashioned

parishioners, who did not like to be deprived, without their consent asked or given, of the services to which they were accustomed, fell in with the popular anger excited by the growth of novel doctrine and ritual, and inflamed by fear of Rome. The missioners of the East End, like the early Franciscans, took no note of popular prejudices, and invaded with hymns and outdoor addresses streets consecrated to vice and brutality. Their burning charity worked its way through all opposition; the violence of the mob was expended upon the church in which the Rector continued his unwelcome ministrations. The services in the small mission church were conducted on the same principles as those at St. George's; the ritual was certainly not less extreme: but at the mission there were no respectable churchgoers, attached to old conventions, but only such poor souls as could be gathered in from the streets and lanes of the city, such a congregation as is attracted by music, candles, cheerful singing of hymns, and 'histrionic' apparatus.

Archibald Tait, Dean of Carlisle, succeeded Blomfield as Bishop of London in 1856, and found trouble awaiting him. Lowder wrote to him as follows in the spring of 1857: 'Mr. King informs me that your lordship has expressed some doubt as to the legal obligation of the chasuble and altar lights'; and went on to plead for liberty to carry out 'the principles of the Catholic Church, as taught in the Creeds, Liturgy, and ritual of the Church of England; . . . not only in our sermons, but in the visible teaching of sacraments and ritual observances. . . . We do not ask your Lordship to commit yourself to any principles of which you may disapprove, but merely to permit an experiment, not forbidden by the Church, to be carried out by those who have the heart to do it. Surely in such a diocese, in such a work, there is room for us all without hindering one another. Evidently something more elastic and energetic is wanting than the old parochial system; are we to fall back upon Wesleyanism, or on the Catholic teaching of our Church?'

Lowder and Bishop Tait, 1857.

The Bishop could not assent to this, and a second letter from Lowder, dated May 2, puts the legal point clearly: 'The Privy Council in the late judgment' (Liddell *v.* Westerton,

21 March 1857), 'having expressly laid down that the rubric in the First Book of King Edward was the rule for ornaments and dresses of the ministers . . . and since also the present rubric before Morning Prayer directs that "such ornaments of the ministers at all times of their ministration shall be retained and be in use," I do not understand, my Lord, what alternative is left for us. We are simply obeying the law.'

Bishop Tait ultimately withdrew his opposition, probably because he felt that the self-denying work of Lowder and his friends was more valuable than consistency of action. He acted differently in the case of the parish church, and by doing so incurred the imputation of unfairness. He gave his orders to the Rector, and so far as he could prohibited the use of 'these foolish vestments' in St. George's church. 'If you continue,' he wrote, 'it is against my express order. Surely if in any matters a bishop is entitled to require the canonical obedience of his clergy it is in such a case as this. You cannot believe that there is any legal obligation on you to depart in this respect from the usage of our Church, as explained and enforced by all her living authorities. . . . Surely your regard for the office I hold, and the rubric enjoining upon you to refer to the Ordinary, must suggest that in such matters your own private opinion ought to be waived in deference to those set over you; especially when I urge upon you to give up your own wishes out of regard for the 30,000 souls committed to you, to your usefulness among whom I feel convinced these excessive ritual observances are a great hindrance, as is found (it pains me to think) in the emptiness of your great church.' Tait and Bryan King, 1858.

This is the voice of common sense, a voice not much listened to by King and others who were bent on carrying to excess the revival of ritual; King, however, might have replied that law was law, and either commanded or forbade, and that canonical obedience did not hold him to do anything uncanonical. It should, moreover, be observed here that Lowder's reference to the judgment in Liddell *v.* Westerton was in accordance with fact, though the question of vestments was not directly within the purview of the court; and that Bishop Tait himself, as assessor, had agreed to the judgment.

The consequences of standing stiffly upon legality appeared when the vestry of St. George's proceeded, in the exercise of their unquestioned right, to appoint as a lecturer, with certain rights of entry to the pulpit, the Rev. Hugh Allen, a strong Evangelical, who was licensed by the Bishop on May 17, 1859. The riots went on, Sunday after Sunday, through the summer. The lecturer preached against Rome with allusion to the Rector. The Rector, it was said, tried to hinder the lecturer's access to the pulpit. On August 21, Allen's congregation remained in church after the lecture, but not to pray; King, in his pamphlet, *Sacrilege and its Encouragement*, wrote as follows: 'The whole service was interrupted by hissing, whistling, and shouting. Songs were roared out by many united voices during the reading of the Lessons and the preaching of the sermon; hassocks were thrown down from the galleries, and after the service, cushions, hassocks, and books were hurled at the altar and its furniture. I myself and the other officiating clergy had been spat upon, hustled, and kicked within the church, and had only been protected from greater outrages, for several Sundays past, by the zealous devotion of some sixty or eighty gentlemen, who attended from different parts of London.'

Riots at the parish church, 1859.

Renewed rioting, 1859-1860.

Police were stationed inside the church, outside, removed, put back again; the Home Secretary, Sir George Cornewall Lewis, was indifferent, magistrates would not act, the Bishop gave way to the clamour of the mob, and ordered the removal of choir stalls, altar hangings, and the cross over the altar. The riots still continued. The clergy were seriously assaulted, besides sustaining such annoyances as being shot at with peas. The offenders were, as before, the lowest mob of the district, drawn there by love of mischief and violence. Nothing would do, so long as the Rector stood upon his legal rights, and made no concessions to his parishioners' wishes. The churchwardens applied to the Bishop, who advised arbitration before himself (5 September 1859). He encouraged them to do their duty in suppressing the riots, and at the same time expressed his determination to put a stop to 'such follies as the use of unaccustomed vestments' whenever

The Home Secretary declines to interfere.

possible, by his summary jurisdiction; and required them to give him immediate information 'if any clergyman should so officiate in the church as to give reasonable offence by this childish mimicry of antiquated garments.'

Matters came to a head on Sunday, January 29, 1860. About three thousand persons were in the church, a third part of whom were boys and girls. Not only were responses shouted, but every kind of blasphemy and obscenity was substituted for them. When the service was over the mob made a rush at the altar, cushions and hassocks were thrown about, and the church furniture much damaged. The same scenes were repeated at the evening service, and again on Easter Sunday, when the Rector had surpassed himself in decorating the church with flowers, tapers, and embroidery. If King had wished for peace, he might have bowed to the authority of Pusey, who wrote to Bishop Tait on April 26 as follows: 'I am in this strange position, that my name is made a byword for that with which I never had any sympathy, that which the writers of the Tracts, with whom in early days I was associated, always deprecated, any innovations in the way of conducting the service, anything of ritualism, or especially any revival of disused vestments . . . I have looked with sorrow at the crude way in which some doctrines have been put forward, without due pains to prevent misunderstanding, and ritual has been forced upon the people, unexplained and without their consent.'

At length King took a year's leave and went to the Continent, and the Rev. Septimus Hansard, a man well suited for the purpose, took his place. But as King from his retirement at Bruges forbade his deputy to obey the Bishop by giving up the choral services, preaching in a black gown and removing the credence table and super-altar, riots began again. Hansard resigned the curacy; a curate was put in by the Bishop, the services were conducted according to the manner then usual in London churches, and peace was restored.

Rev. Septimus Hansard in charge, but resigns, 1860.

This public scandal was taken up in Parliament, but without any result. The Home Secretary said, in the House of Commons, that it was not the business of the police to mount guard in church. Lord Ebury presented

a petition from the parish, and spoke of the aggravation of the disturbances caused by the new missioners, 'a set of strange clergymen' whom Bryan King had introduced. He reminded the Lords that he had himself tried two years before to get the canons and rubrics altered. If they were obsolete, incongruous, contradictory and unintelligible, why not change them? Lord Derby, who had no sympathy with clergy who wished to force on unwilling congregations forms perhaps not illegal, but obsolete and not essential, thought at the same time that the Government had not done their duty in suppressing the riots. Lord Brougham pointed out that 'brawling in church' was an ecclesiastical offence, and punishable. The Bishop of London referred to two ancient Acts of Parliament under which offenders could be punished; but Lord Granville spoke of the difficulty of identification; much disturbance might be no breach of the peace. The mob had prevailed, and a bad precedent had been set; but the fault lay rather with the Rector, however high his motives may have been, whose obstinacy had brought about an insoluble complication, than with the Bishop, who took irregular means, the only means in his power, for putting an end to a quarrel which brought discredit upon all parties. Finally, King resigned his London living, and was presented to the vicarage of Avebury in the diocese of Salisbury.

Debates in Parliament, 1860.

AUTHORITIES.—Strange, *The Bennett Judgment*; Bryan King, *Sacrilege and its Encouragement*; Lowder, *Twenty-one Years in St. George's Mission*; *Biography of Charles Lowder*. BIOGRAPHIES: *Archbishop Tait*, by Davidson and Benham; *C. J. Blomfield*, by A. Blomfield; *Charles Lowder*, by M. French.

CHAPTER II

REVIVAL OF CONVOCATION

THE history of Convocation, as of our other institutions, is a matter of archæology as well as of politics. From the beginnings of English Christianity the spiritualty had by the common law of the Church the right of assembling in synod under their archbishops and bishops in order to enact ecclesiastical canons, which were binding on the clergy in spiritual matters. As the relations of Church and State were not yet formally settled, the clergy, as landowners and magnates, and by reason of their superior learning and capacity, took part in the general government of the realm. Their subjection to or independence of Kings and Popes forms a principal subject of mediæval history. The right of the archbishops to summon Convocation independently of the King's writ fell into disuse, not without a struggle to maintain it; and the clergy assembled when the King bade the archbishops summon them, whilst maintaining their own rules of procedure and transacting in Convocation such business as they would have transacted in Parliament if they had been included in that body. As a spiritual court the competence of Convocation to judge heresy was not questioned; the contest of powers only came in on questions of appeal.

Early history of Convocation.

By the statute of 1534 (25 Henry VIII. c. 19) Convocation was forbidden to make any canons or ordinances without the King's consent to do so, and the approval of them by the King's Commissioners when made. This limitation of its functions made the proceedings of Convocation less important; but the two provincial Convoca-

Convocation under Tudor government.

tions continued to sit and do business, and in some cases, as, for instance, in the matter of William III.'s Comprehension Act, not without effect. The highly centralised autocracy of the Tudors and Stuarts managed ecclesiastical affairs in general through the Council, or through the Court of High Commission. No mention is made of Convocation in the Acts of Uniformity passed in 1549, 1552, and 1559. The assent of Convocation was sought for the Prayer Books of 1559 and 1662, and assumed, though not accorded, in the former instance, since Mary's bishops were notoriously opposed to the new settlement, and voted unanimously against the Act of Uniformity. The Lower House was less under ministerial control than the Upper House; and as the Whigs by degrees prevailed and bishops of that party were appointed, the quarrel between the Upper and Lower Houses, or Whig and Tory, at length became a public scandal, and caused grave offence to the Hanoverian Government, on the occasion of the violent controversy provoked by the writings of the latitudinarian Bishop Hoadly of Bangor. The Lower House having censured Hoadly, Convocation was prorogued in 1717, and though 'the twin phantasmata of Convocation' continued to meet *pro forma* by the archbishops' mandates, issued by Royal command at the same time as the King's writs summoning Parliament, they did no more for 134 years than meet, vote an address to the Crown, and adjourn, till at the end of the session they were prorogued by the archbishops. Convocations, says Burn in his *Ecclesiastical Law*, have become 'unnecessary to the Crown, and inconsiderable in themselves.' Most Churchmen, probably, were not aware that such an assembly as Convocation existed. Its meetings were hardly more interesting to the world than the distribution of the King's Maundy, or the counting of nails and horse-shoes at certain seasons in the City.

Disuse of Convocation, 1717-1850.

The majority of the clergy themselves had no wish to revive Convocation, nor did the bishops summon diocesan synods. Statesmen feared the danger, if such assemblies met, of the predominance in them of unquiet and crotchety men, movers of amendments, busy correspondents, wire-pullers, adventurers, sanctimonious

Weakness of a clerical Parliament.

plotters, planners of unnecessary organisations, men who hoped to gain preferment by notoriety, men of clerical conscience, not to be trusted by practical politicians, bringing religion into suspicion and dislike ; they believed that time would be wasted in talk, and that it was not easy to see what practical action was open to an ecclesiastical body bound hand and foot by disabling legislation. Such arguments affected the bishops, whose natural temptation was to set a high value on dignity and peace, to avoid domestic disputes, and to stand well with the rulers of the world. The clergy are not entirely ignorant of their own weaknesses, and the old-fashioned clergy especially, who, whether at the universities or in country parishes, were at that time a class by themselves, connected with the landed interest, a well-bred class, from which it was customary for ministers and bishops to choose dignitaries. To such men, though they might be high-flyers in theology, like Keble and his friends, the louder side of the Oxford Movement was abhorrent. Every such movement, in going out from the closet into the world, takes up an element of pushing, noise, and publicity. The violent take the kingdom by force out of the hands of the meek; the spirit of *The Christian Year* is not that of George Anthony Denison and Samuel Wilberforce, though they probably read in the volume every week.

Church and State are so closely connected in England, that it is impossible to legislate for the one without risk of interfering with the other; the principal aim of those who wished for the revival of Convocation was to restore the spiritual authority of the Church, not to bind Church to State ; and Protestants and Erastians, Secularists and Agnostics, and men of the world at large, who feared the growth of priestly power, did not view with complacency what seemed to them to be a growth of clericalism.

The movement had a double aim: the first was to restore to the Church, and primarily to the Episcopate, the ancient and apostolical institution of ecclesiastical synods, and thus lay the foundation for a reform of church government and judicature; the second was to make the Lower House more representative, and so to give the presbyteral body a voice and unity, to train the clergy by practice in concerted action, and to stimulate the more

Movement for revival of Convocation.

cautious and deliberate proceedings of the bishops; we may add a third aim, which came into view later, that of associating laity with clergy in the service of the Church, and so working against the overshadowing power of Parliament. There was danger, from the point of view taken by Keble and others, of a House of Laymen intruding into the spiritual region; there was danger, from the secular point of view, of a House of Laymen, by reason of limitations imposed upon the mode of election, becoming more clerical than the clergy; but a truly representative council of the Church would include members of all opinions, and would have a claim to be considered as the voice of the Church, so that whenever matters affecting the Church should come before Parliament the voice of the Church would be heard. It might be further argued that the Church has a right to formulate her own requirements from time to time, through an assembly in which clergy and laity are equitably represented, without waiting upon the variations of party politics, and accepting from Parliament legislation which she has no power to amend or reject. So long as a State Church exists, no ecclesiastical legislation is possible except through constitutional parliamentary procedure. But a properly constituted Convocation, in association with a wisely elected House of laymen, might present to Parliament with some prospect of acceptance *projets de loi* which would be more respectfully entertained than if they proceeded from an unreformed body, the constitution of which is not accepted as truly representative; an accidentally assorted body of clergy which cannot justly claim to speak with the voice of the Church. If this can be said now, when Convocation has sat and done practical work for fifty years, though unreformed, how much less consideration was it likely that Convocation would have when its sitting was an untried experiment.

Drawbacks to revival.

Those who desired the revival of Convocation put forward as one of their strongest points the argument, that since Catholic Emancipation—strictly speaking, since the Union with Scotland—Parliament no longer consisted of members of the Church of England. Any minister of the Crown might be a Nonconformist of any denomination, with the single exception of the Lord

Parliament no longer an assembly of Churchmen.

Chancellor, who must not be a Papist. Religionists or non-religionists of every kind, with the exception of Jews, Quakers, and professing Atheists, might sit in either House of Parliament. The Judges and Privy Councillors, in whose hands rested the ecclesiastical judicature, were under no obligation to conformity; and thus Acts of Parliament and decisions of law courts could no longer be considered as having the consent of the laity of the Church. An infidel majority in the House of Commons might put an infidel into the position of Prime Minister, which, according to constitutional custom, practically carried with it the appointment of bishops. What the Church needed was to recover its power of utterance. There were many subjects about which the public was indifferent, but which were important to the Church, yet the Church had no means of discussing them and approaching Parliament, because Convocation was muzzled.

Stagnation in the Church.

Long negligence, said Archbishop Whately, though he was no promoter of Convocation revival, produces a stagnation of business. There are no arrears of business, no complaints, no applications, because every one knows that nothing will be attended to by the persons responsible, and so 'stagnation is regarded as the natural state of things. It will seem that there is very little to do.' This condition of Spanish inactivity produces its own continuance, and the argument *quieta non movere* stultifies itself. It is intelligible that statesmen and laymen generally should wish to avoid the activity of the clergy in State affairs; but it is also natural for the clergy to wish for a voice in Church affairs, and it is contrary to all doctrines of constitutional progress, to wish to keep them out of it. *Quod omnes similiter tangit ab omnibus approbetur* is sound constitutional doctrine, in Church as well as State. It was plain that such matters as education, Church extension, the colonial churches, ecclesiastical revenues, the use to be made of cathedral and capitular bodies, occasional services, and many other questions could be treated better by Convocation than by irresponsible committees, or in the public press, or by individuals, and that no danger could come to the State if the Church were allowed the right of free speech, which every other constituted body in the kingdom possessed.

There was no answer to these arguments, except that the public in general was alarmed at the spread of tractarian and ultra-tractarian opinions, and that the promoters of revival were High Churchmen who were supposed to be working for an *imperium in imperio*, which, to be sure, was not a pressing danger. There was more danger of the growth of priestly ideas by means of the organisation which Convocation, if it were set in motion, would necessarily bring about. But there was no reason why Convocation should be dominated by the Puseyites: all parties would be represented there, and lovers of the Church might wish that it should show activity, and prove itself superior to the rival organisations of dissent. The strongest organisation of all was that in which there were no discussion and no freedom of opinion; but the lovers of the Church of England would not wish her to be assimilated to the Church of Rome.

Tractarian party in Convocation.

The bishops, following willingly or unwillingly the lead of Wilberforce of Oxford, showed more favour to the idea of revival than might have been expected. The two archbishops, especially Sumner of Canterbury, shared the apprehensions of statesmen; they would act if necessary, but not willingly: it is possible to see in what took place the impulse of a vigorous pushing man, like Wilberforce, upon an amiable fair-weather Primate, whom his brother the Bishop of Winchester tried to stiffen in opposition. The Bishop of Winchester thought in 1850, as he had thought in 1834, that Convocation had better remain in abeyance. The Gorham judgment confirmed him in this view; for the active party would try to restate doctrine or reform the ecclesiastical courts, and there was danger in either. He quoted—and it was taken up and quoted again and again—a convenient saying of Gregory Nazianzen, 'prorsus decrevi fugere omnem conventum episcoporum . . . Concilia non minuunt mala sed augent potius.' Bishop Baring of Gloucester wished Convocation to be restored, but also reformed. Blomfield had changed his view, and now favoured the revival. The Charge of Thirlwall of St. David's was an instance of the illiberality of Liberals when they think that their principles may be used against them. He allowed that power of

Bishops' views in 1850.

deliberation appeared to be inseparable from the very notion of a corporate body; but he objected to the constitution of Convocation, and feared that it would make itself a constituent assembly to invent a new church order, and in doing so (for he did not think Convocation likely to fail as a debating club), would divide, perhaps disrupt the Church. There was no bar to free deliberation, as things were; as for authoritative decisions, Parliament would never grant power to make them. Thus Conservatives and Liberals spoke slightingly of what seemed to both an unpractical scheme; but the stream had begun to move, and the bishops swam with the stream.

Effect of the Gorham judgment.

The Gorham judgment had brought out the fact that the Church of England not only had no tribunal which it could trust in doctrinal matters, but also that it had no organised means of defining doctrine or of making regulations for its daily government. There were High Church and Low Church societies and organisations, May meetings, and meetings of Church Unions; there were organs of the press like the *Guardian*, the *Record*, the *British Critic*, and the *Christian Remembrancer*; there were Charges of bishops and archdeacons, and any clergyman could write to the *Times*: but there existed no dignified responsible assembly, authorised to transact business in constitutional form, and approach Parliament with a weight of authority exceeding even that of a unanimous petition from the bishops. So long as this was so, the contemptuous tone in which Ministers of State spoke of the Church might be deplored, but could not be wondered at: it was the outward symbol of the complete subjection of Church to State. The Roman emperors tolerated public speech in a Senate which had never lost it by disuse, but they would have preferred a silent Senate.

Objections to revival.

But if the Gorham judgment awakened one part of the clergy to a sense of danger threatening the Catholic standing of the Church, the outcry against it also alarmed Protestants and Liberals. The agitation for reviving Convocation came immediately after the secession to Rome of many leading High Churchmen, and coincided in time with the High Church movement now advancing in

various unpopular directions. Moreover, the promoters of Convocation proceeded on high *a priori* ground, and used such expressions as 'the voice of the Church,' 'apostolic institution of synods,' 'inherent inalienable right,' etc.; they claimed that its powers should be restored to Convocation, not on the ground of expediency, but on that of Catholic continuity and constitutional right. The Laudian tone adopted offended those who thought Protestantism more important than episcopal rule, and cared little for antiquity; and to the world in general the movement seemed to be unpractical and not likely to succeed, or if it did succeed, a concession to the Romanising party, and likely to lead to trouble.

The revival of Convocation was one of those subjects which to many moderate men appeared desirable, but not to be hurried and perhaps spoiled by a few impatient partisans. Blomfield would have been willing to transfer the appellate powers of the Judicial Committee of the Privy Council in ecclesiastical causes to the Upper House of Convocation. He thought also that some representative body ought to meet, in order that the collective Episcopate might know the mind of the Church. He was not satisfied with the present constitution of Convocation; but when it met for business he took part in the proceedings, and in 1854 and 1855 he was active in forwarding a reform of Convocation from within.

Henry Hoare.

One of the most indefatigable workers in the cause was a layman, Henry Hoare, to whom his biographer assigns a place in the history of the Church of England next to Joshua Watson. He had been brought up as an Evangelical, but in consequence of reading the *Tracts for the Times* became a High Churchman of the strictest type; a wealthy banker who paid more than a tithe to the Church, a man of business who gave his time unsparingly to Church business, and especially to that which he made his own department, the revival of Convocation. By his energy and capacity the organisation was set going which was afterwards carried through successfully by Bishop Wilberforce and his fellow-workers. When Hoare began his work, the revival of Convocation as an active working body seemed as remote a hope as the revival of the monasteries. The bishops did not want it,

Hoare's work.

ministers were afraid of it, clergy and laity alike thought it unpractical and visionary. But in less than five years the work was accomplished in spite of all opposition, a result which showed that Hoare and his friends understood the trend of public opinion, and were wiser than the ordinary counsellors of the Church.

The first indication of a movement in this direction was a meeting of clergy and laity held at Ashby de la Zouch, in the rural deanery of Ackley, Staffordshire, on October 12, 1848. At this meeting an address to Archbishop Sumner, then recently promoted to Canterbury, was passed, commenting on the growth of spiritual destitution and the decay of discipline, and recommending on these grounds the re-establishment of synodical action in the Church. The Bristol Church Union, founded in the same year, was soon strengthened by associations at Gloucester, Liverpool, Plymouth, Manchester, and other centres, and by the London and Metropolitan Unions.

Meeting at Ashby de la Zouch, 1848.

The objects of the Metropolitan Church Union were set forth in its first Report, issued in August 1849, as follows: Security for the right appointment of bishops, a representative assembly for the Church, restoration of discipline, increase of the three orders of the ministry, church extension, and reform of the system of ecclesiastical patronage. The London Church Union, during the continuance of the Gorham appeal, expressed a wish that Convocation should be licensed to devise a fitting appellate tribunal, that an Act of Parliament should be passed to give the judgments of such a tribunal binding force, and 'to exempt questions of doctrine, and other matters purely spiritual, from the cognisance of the Privy Council.' The Metropolitan Church Union, on February 26, 1850, declared that the Judicial Committee, though disclaiming jurisdiction or authority in matters of faith, had established a precedent 'which virtually and practically amounts to an exercise of the jurisdiction and authority so disclaimed.' It was questioned whether the decision of theological questions belonged to the bishops, as in ancient times, or to Convocation in general, as in the precedents of the Reformation in England. The Metropolitan Union declared for Convocation at large, on

Church Unions, 1849.

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the ground that the 139th Canon states dogmatically that Convocation is 'the Church of England by representation.' A petition to Parliament issued from Oxford in May 1850 left the point undecided, giving the appeal to the archbishops and bishops 'as possessing ordinary authority by the law of Christ,' or to Convocation, as above, with a reference to the same Canon. But in any case the bishops would wish to know the mind of the clergy; and how could this be ascertained better than through the constitutional procedure of Convocation? The controversy as to appellate jurisdiction, therefore, threw light upon the controversy of Convocation, and helped the cause of its revival.

In the course of the year 1849 addresses to the Queen and the archbishops praying for the revival of synodical action were widely circulated, principally by the personal activity of Henry Hoare, and were presented in January 1850. The answer from the Home Secretary, on February 5, was to the effect that the address had been received, 'but Her Majesty has not been pleased to signify any commands thereon.' Sumner did not agree with the petition, but would 'be content to leave the subject to the wisdom of the Sovereign.' Musgrave of York merely acknowledged the receipt of the address; but neither the coolness of prelates nor the hostility of ministers was able to check the movement. The indefatigable agitators in the cause of Convocation took advantage of every incident to further their object; and the 'Papal Aggression' of 1850 furnished a good opportunity for urging their claims. The Committee of the Metropolitan Church Union summoned a public meeting to be held at Freemasons' Hall on Tuesday, January 19, 1851, to protest against the action of Pius IX. The placards which announced the meeting declared in no measured terms that the Pope's opportunity for action was the suppression of Convocation, 'a main source of the evils complained of in the Church. Had her Convocation, or deliberative assembly, been sitting for the despatch of business, for the regulation of her affairs . . . Popery would not have obtained the footing it now has, errors would not have been suffered to grow up in the Church, and she would have been better able to supply the spiritual wants of the population.'

Papal Aggression meeting for protest, 1851.

The meeting, the chairman of which was Henry Hoare, was largely attended, and the first resolution carried was to the effect that 'the recent daring aggression of the Pope is to be attributed in a great measure to the crippled state of the Church of England, the direct consequence of the long-continued suppression of her synodal functions.' A petition to the same effect was adopted, to be presented to both Houses of Convocation. There was difficulty, however, in getting petitions received, though they might be presented; but on February 5 a petition from certain clergy and laity of the Province of Canterbury to the Upper House was read and ordered to lie on the table, and a similar petition of the Lower House was pronounced by the Archbishop to be in order; after which all business was suspended by the prorogation of the Houses. Henceforward petitions were presented on every occasion, urging Convocation to address the Crown for licence to proceed to business.

Petitions to Convocation, 1851.

The clergy were far from unanimous on the question. Whilst some welcomed in the revival of Convocation a confirmation of High Church principles, others dreaded such an event; many distrusted the wisdom of the clergy, others objected that Convocation was not fairly representative of the clergy. Most of the bishops and many of the clergy, as well as almost all the laity, preferred the existing state of things to the uncertainty of a reform. The opinions of Liberal clergymen may to some extent be gathered from the following letter from Frederick Maurice, writing as early as 1841, to Julius Hare: 'Think what it would have been to have had a Convocation sitting during the last 120 years. The formularies would have been gradually Socinianised till the beginning of the reign of George III.; after that there would have been a (so-called) High Church movement to erase from them everything that savoured of Methodism; a few years ago there would have been a strong and successful effort of Liberals and Evangelicals combined to cure them of their Catholic peculiarities; now, there would be a tremendous struggle, either to accomplish that purpose, or else to make them witnesses for a Catholic *system*, which I hold to be one of the greatest enemies of the Catholic *Church*.'

Maurice's opinion.

The supporters of the movement were a few bold and eager men like Wilberforce, Hoare, and Denison, Butler and Carter; and in Parliament Lord Lyttelton, Lord Redesdale, Spencer Walpole, and Beresford Hope. Of the chief tractarian leaders, Keble was cautious and inclined to distrust bishops and statesmen, and Pusey seemed less anxious to set Convocation at work than to keep laymen out of it. The prime mover was Wilberforce, who, with untiring energy, tenacity, and resourcefulness, fenced with and disarmed the Archbishop without wounding him, made use of the help of friends without relinquishing his own views, stirred up laggards and repressed rash combatants, and finally carried his plans to successful completion.

The agitators looked upon Convocation, first, as the voice of the Church; secondly, as the voice of the State Church: first as authoritative, secondly as consultative. If Convocation had been free it would doubtless have defined, by the voice of the bishops, the baptismal doctrine of the Church of England in the first capacity; and in the second, if called upon to do so, would have provided assessors to the lawyers to whom the interpretation of formulas was committed. The precedent of Whiston's case in 1712 (in which the competence of Convocation in cases of heresy was affirmed, and the case sent from the Court of Delegates to Convocation) shows that cases of heresy, such as that of Gorham, would have formed part of the ordinary business of Convocation, if Convocation had been at work. The usurpation of spiritual jurisdiction by the Crown, first by Henry VIII. and Edward VI., next by the Court of High Commission, had so crippled Convocation that it was easy for Sir Robert Walpole to close its proceedings altogether; and his maxim of *quieta non movere* had great force with ecclesiastical governors.

Authority of Convention.

The revival of Convocation was one instance of many where the sense of the people, or of those interested, is found outside Parliament, and has some difficulty in making itself heard within. In July 1851 the question was raised in the House of Lords by Lord Redesdale, who discussed the arguments for and against the revival of the synodical action of the Church. He argued that synodical

Lords' Debate, 1851.

action was legal, though it had gone into disuse. It was feared that debate might cause disunion; but it was not so in other religious bodies which had free use of debate, as the Church of Scotland and the various communities of Dissenters. He spoke of the growth of public opinion in this direction, and advised Parliament to take account of it. Archbishop Sumner spoke against the motion on the ground that discussion would lead to increased controversy. If the present state of things in the Church might be compared to a smothered fire, he did not wish to raise a conflagration. The history of Convocation in the reign of Queen Anne was a history of altercations between the Houses, and he feared that that history would be repeated if the Sovereign issued a licence to Convocation for the despatch of business. He allowed that the argument from other religious bodies had a show of reasonableness, but in the case of a State Church there was a danger of *imperium in imperio.* The conferences of the Wesleyan body did not always end in harmony, nor did the debates of the General Assembly of the Church of Scotland always make for peace; these debates had not prevented—if indeed they had not contributed to occasion it—the disruption of the Church of Scotland. He went on to speak of good work done by the Church of England during the last thirty years, in founding a thousand new parishes at home, and twenty new bishoprics in the Colonies, and promoting education and spiritual movement everywhere.

Bishop Blomfield spoke in favour of the motion. He had, as we know, changed his view; always in favour of progress, and 'provident of seasons,' he foresaw embarrassment both to bishops and ministers of State unless some representative body were permitted to assemble and deliberate on matters affecting the welfare of the Established Church.

Bishop Wilberforce made a warm and effective speech in favour of the motion. For the clergy he spoke of the primitive and Scriptural warrant of religious councils. For the laity he deprecated all idea of priestly domination and episcopal tyranny. He showed the reasonableness, nay, the necessity, of self-expansion, and found in opportunity of free debate the best remedy for the recent divisions in the Church. Some Churchmen must incline to Calvinism and some to Arminianism, but they might live

Bishop Wilberforce.

together in harmonious co-operation. He ended in some thing of a prophetical vein, bidding Parliament beware lest by external legislation they should attempt to make the Church speak a language which it had not derived from its Author, and do acts which it could not justify by His precepts. He was heard with favour, for his oratory was sincere. The popular gale did not blow entirely his way, but all parties welcomed the increased vitality of the Church; the Romanising party, it seemed, was not likely to get full possession of Convocation, in which the vagaries of hot-headed proctors would be balanced by the moderation of bishops and deans.

Lord Lansdowne spoke as a Whig suspicious of clerical action, and as a minister anxious for quiet and no increase of responsibility; but his remarks were summed up in the Tory sentiment that till he saw that the opinion of the Church could be better expressed in Convocation than without, he could not consent to try 'an experiment so important, so new, and so perilous.' Redesdale's motion was agreed to, but no further progress was made during that session. Lord John Russell's Administration came to an end in February 1852, and political events put Church matters into the background.

Lord Lansdowne.

Meanwhile, on February 4, 1852, the Convocation of Canterbury met as usual, and would have been prorogued as usual, had not Bishop Wilberforce presented a petition in the Upper House 'that Convocation should address the Crown by petition'; he also gave notice of a motion 'that this House do consider the prayer of the petitions.' Sir John Dodson, the Queen's Advocate, and, as Judge of the Prerogative Court, the Archbishop's official spokesman in matters of law, said that such a motion was without precedent, and quoted the statute 25 Henry VIII. c. 19, which forbade Convocation to do business without licence from the Crown. The Bishop of Exeter pointed out that 'doing business' was not mentioned in the Act, but 'making and promulgating canons.' After some discussion this was admitted by Dodson; and Wilberforce then said that his motion was 'not of a general but a particular nature,' and referred to clergy discipline, a bill relating to which would soon be brought into Parliament without any

Debate in Convocation.

account being taken of the opinion of the clergy. The motion was opposed on the ground that only a few bishops were present, and that notice had not been given, and was adjourned till the next meeting. A petition against continual prorogation being brought up from the Lower House, the bishops debated whether or not to receive it. Archbishop Sumner waived the point of his personal authority at the request of the Bishop of Exeter, and in effect submitted to be outvoted by his suffragans. The petition was received, and Convocation was then prorogued by the Archbishop to August 19. Thus the Bishop of Oxford scored two points in the game.

Lord Derby Prime Minister, 1852.

The result of much public and private agitation was that a rumour got about in the autumn of 1852, to the effect that Lord Derby, who succeeded Lord John Russell as Prime Minister, had advised the Queen to issue a licence for Convocation to resume its synodical functions. The *Times* of October 18 doubted the sanction of the Government to so 'rash and abrupt a measure, the agitation for which was got up by a trick of the grossest kind' on the part of the extreme High Church party, not by the Church at large; a measure 'perilous to the Church of England, provocative of ecclesiastical combativeness,' and so on. The cry was taken up by Lord Sidney Godolphin Osborne, well known as a writer of letters to the *Times* under the signature 'S. G. O.'; 'a clique of clerical busybodies' was his phrase; and on October 30, 1852, Lord Derby announced in Parliament that 'Her Majesty's Government had no intention of advising Her Majesty to grant the Royal sanction to any revival of the active functions of Convocation.' Progress had, however, been made. Many petitions were in the meantime addressed to both Convocations, and though the applications made for consideration of the petitions were refused, they had at any rate been presented and received. The first step was gained.

Lord Derby and Convocation.

Though Archbishop Musgrave of York had shut the door in the face of the northern Convocation, deeming himself to have no authority to allow them to sit without licence from the Crown, the action of Canterbury, being public and notorious, was certain to affect that of York. The London papers acknowledged that it

Opinions of the press.

was now clear that Convocation could both meet and transact business without Royal assent; both facts, said the *Spectator*, 'tell in favour of the persevering restorationists'; and the *Leader* congratulated the High Church party on its honest courage. During the recess counsel's opinion was obtained as to the effect of the restraining statute of Henry VIII., and as to the Archbishop's power of proroguing *sine consensu fratrum*. It might not seem much to establish the right of Convocation to discuss, if no action followed discussion, but it was something; and as Wilberforce wrote, 'it will come to more.' At the least, discussion would clear the minds of the clergy. A case was submitted to Dr. Phillimore, Sir Frederick Thesiger, and Sir William Page Wood, and their answer was that 'Royal assent is a necessary preliminary to the discussion of any new canon, constitution, or ordinance,' but no further. An address to the Crown 'for licence of debate, or other like matter,' was therefore within their powers; but not the discussion of canons, any more than their promulgation. This latter point has since been conceded, the words of the statute being, 'enact, promulge, or execute,' 'make, promulge, and execute'; not 'discuss.' Opinions differed as to the Archbishop's sole power to prorogue. Another step was gained by the busy Bishop. He was not afraid of pressing on the heels of the inert, he disliked nothing more than stagnation; he feared no rivalry in his own diocese, in which he was the most active clergyman. He was determined not to rest till the effective action of Convocation was assured.

Legal opinions of Phillimore and others.

The Derby Ministry came to an end on December 16, 1852, and Lord Aberdeen became Prime Minister. Wilberforce's remark on this event was, 'So our friends are in.' But the 'friends' were not able to do much for the Church; and Aberdeen himself did not favour the creation of a clerical Parliament, thinking that though the present system of a silent Convocation was irrational and indefensible, it had been tolerated for a hundred and fifty years, and any change ought to be made deliberately, and with the assent of enlightened public opinion. The opinion of the world at large, so far as the world took any notice of the project, was that the idea of a working Convocation was unpractical, and might be mischievous. Lord

Lord Aberdeen Prime Minister, 1852.

Aberdeen bluntly expressed the common feeling in conversation with his son, now Lord Stanmore, 'They never could stand for a day. The country is dead against them, so are half the clergy; and I don't see *what* they want; any bishop can bring in a bill, and if he thinks the assent of the clergy requisite, an informal meeting of delegates would represent them far better than Convocation. They would only hasten the inevitable smash. Your friend is right who says the Church of England is *two* churches only held together by external forces.'

It was something even to have raised the question in a practical form. But nothing shows more clearly the subjection of the Church of England to the State than the situation in 1853. A Prime Minister well disposed to the Church is so apprehensive of danger, or at least disquiet, if the smallest measure of self-government should be granted, that he refuses to allow the synodical assembly of the Church to debate or even to ask leave to debate, beyond a single day's sitting, lest Puseyites, Liberals, and Evangelicals should bring a disturbing element into parliamentary politics. It also shows how great was the alarm caused by secessions, and by the constant advance of the tractarian clergy in the direction of Rome.

The year passed by without anything being done; but a change was taking place in Aberdeen's mind, and at length, 1854, the Archbishop *proprio motu* pressed upon him to continue the session of Convocation for a few days at least, in order that business might be transacted 'which could not properly be considered by any other body.' Hereupon a formal request for permission was made to the Prime Minister, to which he somewhat unwillingly consented; and the meeting of Convocation took place on February 6, 1855, on which day it was proposed to consider the report of a Committee on the constitution of Convocation.

Lord Aberdeen allows Convocation to debate, 1855.

Once allowed to sit and discuss, Convocation found no want of subjects for discussion. Professional assemblies have professional faults. A clerical synod has a tendency to 'viewiness,' the putting forward of theory without a grasp of the difficulties which would attend its application to practical action; a want of the kind of rough

Debates in Convocation.

cohesion which Parliament gets from party government; disinclination to speak plainly at the risk of giving offence; the compromising and hesitating temper natural to a State Church, which submits to ministerial control but dislikes it, which must exalt the office of a bishop, and at the same time does not wholly trust bishops appointed by the Crown. Such defects as these detract from the authority and public influence of a clerical parliament. But when Convocation got to work there was no lack of debating ability and parliamentary conduct, nor of courtesy and consideration in the relations between the Upper and Lower Houses. The views of the clergy in the main were sensible and moderate. They knew the grievances of the time, and did their best to find a remedy. They accepted rebuff from the Government with dignity and without discouragement. If they were not able to settle the vexed questions of ritual, revision of the Prayer Book, ecclesiastical courts, extension of the Episcopate, spiritual destitution, even the reform of their own constitution, it was not for want of industry and good sense, but because the bishops were not of one mind, and because the lay prejudice against an ecclesiastical synod prevented its recommendations from being considered with the respect they often deserved. Aberdeen's 'Of course I cannot allow them to sit,' an expression which might have been used by Melbourne or Walpole, represents fairly the attitude of the laity at large; and it does the clergy credit that they did and have done so much in the face of discouragement; for if Convocation has not been able to make canons or influence legislation directly, it has done much in organising public opinion and preparing subjects for parliamentary treatment.

Exeter Synod, 1851.

It is worthy of notice also that side by side with the rise of Convocation the organisation of diocesan work has been carried on by the clergy and laity, working harmoniously together. Diocesan synods were unknown till Bishop Phillpotts in 1851 summoned the clergy of his diocese to meet at Exeter, though there existed records of ancient synods, rules of procedure, etc., known only to antiquaries. Since then diocesan synods and diocesan conferences of clergy and laity have become universal. It is not easy to distinguish cause and effect, and the same conditions may have

favoured both the revival of Convocation and the organisation of dioceses; but the general life of the Church was undoubtedly stimulated by the spectacle of Convocation taking up its ancient functions without flurry or indecision, and, as a preliminary, discussing the reform of its own constitution.

This, however, could not be effected. The Archbishop would not act, and the bishops were divided in opinion; and when, on June 29, 1855, both Houses addressed the Crown for licence to consider and agree upon a canon improving the representation of the clergy and taking measures to associate the Convocation of York with that of Canterbury, answer was returned by Sir George Grey that Her Majesty had received 'the petition, but had not been advised to comply with its prayer' After half a century the constitution of Convocation is still unreformed.

Request for reform of representation refused, 1855.

A principal fault of Convocation is that the representation of the clergy is too largely official. The Upper House consists entirely of prelates appointed by the Crown. The composition of the Lower House also is to a large extent dignitarian, including as it does all deans and archdeacons, besides the proctors elected by the several cathedral chapters. The only direct representation of the parochial clergy is by the proctors for the clergy, two from each diocese, fifty-four in all, who are thus considerably outnumbered by the capitular members and archdeacons. In the Province of York the disproportion is not so great, as two proctors are elected by the clergy of each archdeaconry.

Composition of Convocation.

No one liked the composition of Convocation as it was: it was not very difficult to remedy the inequality of representation, if Royal licence to make reforms could be obtained; but the problem of admitting the laity to a share in its councils was not of easy solution. Constitutionally, the laity had no right of admittance to a clerical synod; but it might be argued that the laity had had a place, not only in general and synodical councils at different times and places in Christendom, but at the very first Council of all, that recorded in the Acts of the Apostles, the *Acta* of which were promulgated in the name of 'the Apostles and Elders and Brethren.' Here, however, Keble made a distinction. The subscription of the laity was only

Admission of the laity.

to declare their agreement with what the inspired apostles and the illuminated elders had decreed; an act of faith, not a judicial pronouncement. But against Keble his own author Hooker was quoted: 'the true original subject of power . . . to make church laws is the whole entire body of that Church for which they are made.' And again, 'We are to hold it a thing most consonant with equity and reason, that no ecclesiastical law be made in a Christian commonwealth without consent as well of the laity as of the clergy, but least of all without consent of the highest power. . . . In this case therefore . . . that vulgar axiom is of force: *quod omnes tangit, ab omnibus tractari et approbari debet.*'

Archdeacon Julius Hare had said in his charge of 1842: 'This is the great defect in the constitution of our Convocation: it represents the conscience and will, and expresses the voice, of the clergy, not of the Church. If we are to have a really efficient ecclesiastical synod, the laity must form part of it. They are indispensable, primarily, because of right they ought to be there, and right is the only sure and lasting ground of power. . . . They are indispensable in order to gain weight for the decisions of the synod, and to obtain the concurrence and sympathy of the great body of the Church, which would look with jealousy on the proceedings of a merely clerical council. They are requisite in order to give a sound practical character to our deliberations; . . . to keep us from wasting our time in dogmatical disputes, and to preserve us from the noxious influence of those idols of the theatre, which no class is proner to worship.' Joshua Watson, in whom more perhaps than in any other Churchman resided the good sense of the High Church party, was now old, and disinclined to vigorous measures. He saw that the admission of the laity would be the first point debated, that ardent politicians would urge it strongly, but that some of the most orthodox clergy 'would contend most earnestly for their exclusion.'

Julius Hare.

Gladstone took what may be called either a statesmanlike or a parliamentary view of the question. He was strongly in favour of some organisation which would give the Church a means of determining questions of doctrine 'by the deliberate and permanent sense of the

Gladstone.

body.' In writing to Bishop Wilberforce, in January 1854, he expressed his opinion that 'while the present use is unsatisfactory and even scandalous, no form of Church government that does not distinctly and fully provide for the expression of the voice of the laity either can be had, or, if it could, would satisfy the needs of the Church of England.' But, he added, he did not wish to hurry matters; he would be contented if upon his death a beginning had been made towards enabling the bishops and clergy to discharge their full duty, and 'towards raising the real character of membership in those millions upon millions . . . who now have its name and its name alone.'

High theorists held that the bishop is 'the chief ruler of clergy and laity in his diocese,' and that the ideal of Convocation is a board of Church government which should direct the Judicial Committee of the Privy Council, the Committee of Council on Education, the Ecclesiastical Commission, and the Church Societies, as 'handmaids of the Church.' But this is an ideal worthy of Boniface VIII. Such theorists could thank God that no revival of Convocation had been attempted in the Georgian period, when latitudinarian tenets prevailed, nor again in the reign of William IV., when an agitation for 'the Church's self-regulating privilege' was set on foot by the Rev. J. Kempthorne, Bishop Ryder's examining chaplain, and the Cambridge Evangelicals. For the cause of Convocation was not exclusively the property of the High Church party, and Close, the evangelical Rector of Cheltenham, was one of its strongest advocates.

The High Church leaders, as we have seen, were not agreed about the inclusion of a lay element in Convocation. There was a danger of reproducing the evils of vestry government, in which, as Gladstone said, the kingdom of this world was mixed up with the kingdom of God. But that may be said to be an incident inseparable from the government of an established church, nay of all church government, not excepting that of the Pope. Were the laity to sit with the clergy, or in a separate chamber? to be assessors only, or voters with the clergy? what was to be the qualification of voters in an election, property, payment of rates, 'legal' churchmanship, '*bona fide*' churchmanship, or 'faithful' church-

manship, evidenced by the status of a communicant? These difficulties, though they have not been surmounted in the mother country, have not hindered the self-government of branches of the Church of England existing in various parts of the Empire.

A different point of view from that of the High Church reformers was put forward in the *Edinburgh Review* of April 1853; that clerical discipline cannot be rightly managed by the clergy, who are necessarily prejudiced, however honest, and whose jurisdiction cannot be impartial by reason of the importance which they are bound to attach to certain doctrines and practices. In Bunsen's words, the Church of England must cease to be a 'clergy church.' 'In other Protestant churches the religious layman is as much an office-bearer as the clergyman.' It would not be difficult, the writer went on, to create rural presbyteries in subordination to diocesan conventions, and subject, with them, to the bishop. The idea of a laity working in harmony with the clergy, as in the Scottish and nonconformist churches, is to many minds a more attractive conception than the almost purely clerical organisation of the Church of England as it is constituted. Growth of opinion and change of times may bring us nearer to this idea, but change in this direction is made more difficult by fifty years' neglect of reform, and by the hardening of tractarian and ultratractarian theology and ritual, and the increase of professional feeling among the clergy.

Government by clergy or laity.

AUTHORITIES.—Cardwell, *Synodalia*, *Documentary Annals*, etc.; Trevor, *The Convocation*, etc.; Lathbury, *A History of the Convocation*, etc.; *Encyclopædia Britannica*; *Annual Register*. CONTEMPORARY HISTORIES: Paul, Walpole, etc.

CHAPTER III

EPISCOPATE AND CATHEDRALS

One notable result of the Oxford Movement was to raise the consideration of the episcopal office in the eyes of the clergy. The labour of a bishop's daily life has been enormously increased in the last fifty years, not only by the higher standard of episcopal duty which now prevails, but by the mere extension of publicity and public opinion, by the consequent awakening of a quicker sense of responsibility, by the growth of new organisations, by the greater mobility or restlessness of modern life, which alters standards of every kind and makes things possible of which our ancestors never dreamt, and by the facilities for locomotion which make the bishop accessible to all his diocese, and impose upon him the duty of visiting every corner of it; and above all, the immense, varied, and difficult correspondence, from which there is no escape.

Increase of Episcopate.

The subject of an increase of the Episcopate was brought forward in the first instance as a means of returning to the usage of the primitive Church. No. 33 of the *Tracts for the Times*, written by Newman, spoke of the multiplication of dioceses being a sign of the vigour of a church and its rulers. 'The genius of our ecclesiastical system tends towards such an increase and . . . the only question to be determined is one of time.' The idea of a Lord Bishop with a palace and a train of chaplains was distasteful to the writers of the Tracts, who wished to restore ancient simplicity, and who also thought that primitive institutions were in all cases to be venerated, and preferred to modern developments. This idea

Tract 33.

was perhaps one of those of which Arnold wrote to Pusey on February 18, 1834, as belonging 'to the antiquarianism of Christianity, not to its profitable history. . . . The admiration of Christian antiquity seems to me to be the natural parent of Puritanism, which calls all that is ancient Popery'—a remarkable sentence. But the creation of new sees and rearrangement of boundaries was also recommended as a practical policy in the same Tract; and in this the writer had been anticipated by Bishop Watson in 1783 and Lord Henley in 1834.

The action of the State in suppressing the Irish bishoprics in 1833 was represented by writers of the Oxford school as sacrilege, though the creation of bishoprics by sovereigns is one of the commonplaces of Church history; and a memorial which was issued to protest against any suppression of sees, and which was signed by Pusey and Gladstone amongst others, spoke of the primitive age of the Church, as 'happier days, when the size of the dioceses permitted a more direct and minute extension of the fatherly advice and superintendence of the diocesan.' Since that time the increase of the population has vastly outrun the resources of the Church. The need of more bishops was admitted by all; but when bishops, clergy, laity, and Convocation had to co-operate with ministries and parliaments, and where large sums of money were to be raised by private contributions, it was to be expected that progress would be slow. The time was past when bishops could be non-resident, or reside in their palaces and leave the clergy alone, taking themselves more account of the county than of the diocese. It was beginning to be understood that a bishop must work hard, and that a large income does not always make a rich man. It was impossible for a bishop to do all that was expected from him, to acquaint himself personally with all parts of his diocese, and to lead and guide the manifold activities now waking up in the Church. Much was effected by the Act of 1836 (6 and 7 Wm. IV. c. 77) to simplify the limits and areas of dioceses and adapt revenues to services; archiepiscopal and episcopal incomes had been cut down; the enormous diocese of Lincoln had been diminished in extent, the Sees of Ripon (1836) and Manchester (1848) created; and much more was

Altered position of bishops.

promised by the Ecclesiastical Commissioners, but not yet carried into effect. Population was growing fast, new parishes and districts were rising everywhere, especially in the northern counties, requiring more churches and schools, and more clergy to work them. Old-fashioned clergymen, who perhaps took their ideas of bishops rather from what they were than from what they might be and ought to be, complained of waste of money in giving salaries of £3000 or £4000 a year to new bishops, before the need of new bishops had been ascertained. Sydney Smith expressed something of the popular opinion when he doubted whether the new bishops would be more unworldly or intelligent than the old.

Sydney Smith.

Some bishops of the early years of the century have already been noticed as hard workers, the Sumners, Marsh, Ryder, Phillpotts, Stanley. Charles James Blomfield, the contemporary of some of these, was Bishop of London from 1824 to 1856; Samuel Wilberforce was Bishop successively of Oxford and Winchester from 1845 to 1873. The first showed what could be done by the statesman bishop, creating, stimulating, and working by means of public organisations; the second, though he took a large part in public affairs of all kinds, especially parliamentary, was pre-eminently the churchman bishop and the diocesan bishop. He taught the bishops to work in their dioceses and the clergy in their parishes, not discouraged by unkind criticism, of which he experienced more than his due share. Of the new type of bishop thus evolved from the old elements of piety, learning, capacity, and distinction of character, with some admixture of worldly recommendations, the following are in very various ways the most prominent representatives: Archbishop Tait, who for wisdom, statesmanship, and force of character stands at the head of all; Fraser of Manchester (1870-1885), Browne of Ely and Winchester (1864-1890), Lightfoot (1879-1889) and Westcott of Durham (1890-1901), Wordsworth of Lincoln (1869-1885), Magee of Peterborough and York (1868-1891), and Ryle of Liverpool (1880-1900). These men represented very different types, but had one common quality, that of devotion to duty. They may, with the exception of Wordsworth, Westcott, Lightfoot, and Browne,

Blomfield and Wilberforce.

Tait, Lightfoot, etc.

have been less learned than some few of their predecessors; they worked much harder.

Ordinations.

Under the old system ordinations were hastily and carelessly conducted. The examination of the candidates was taken by the bishop's chaplain alone, and the bishop did not trouble himself to make acquaintance with them. Now, and greatly on the initiation of Bishop Wilberforce, the days preceding ordination are days of religious exercise. Wilberforce entertained all the candidates in his own house, and examined them separately, not only in their theological and classical studies, but with reference to their personal character, their views, their experience and difficulties. The whole introduction to clerical life was lifted to a higher level, and the impression thus received was not easily lost. Wilberforce had a strong belief in the value of organisation. Though he did not put his faith in machinery as sufficient,

Wilberforce in his diocese.

he knew that machinery was necessary, and he believed that men engaged in the same work would co-operate if brought to work together; and his belief was fully borne out by results. His own energy set things going; the knowledge that he would expect fruit kept his clergy on the alert, and, even apart from the sense of duty and the high claims of the clerical calling, men are always willing to help a going concern. The diocese was a going concern, and the clergy took a wholesome pride in working for it.

Confirmations.

In the old days bishops had held confirmations only at long intervals and in towns. Confirmation must always be one of the most exacting duties of a bishop's life; it was also one of the most irksome, till Wilberforce not only made confirmations frequent but showed them to be one of the most interesting parts of a bishop's duty, bringing him to many places hitherto before unvisited and into personal contact with many of his flock. 'No description,' says his biographer, 'can convey any adequate conception of the vivid impressiveness not merely of the addresses which he delivered to the candidates, but of the whole rite of confirmation as he administered it.'

A passage from a speech delivered by Bishop Wilberforce in the House of Lords on June 23, 1865, describes

himself: 'The efficiency of diocesan management does not depend merely on the multiplication of clergy or of churches, important as are these elements of success. It depends more on the spirit in which the parishes are worked, in which the pulpits are filled, in which the cottages are visited; and it is the bishop who must be the main instrument in encouraging the zealous, in stirring up the faint-hearted, in animating the despondent; he must be to his clergy the example and the mainspring of holy living and dying for the people committed to their care.' Wilberforce established a theological college at Cuddesdon, a training college for schoolmasters at Culham, sisterhoods at Clewer under Thomas Carter and at Wantage under William Butler; he introduced missions, set up diocesan societies of every kind, and once set up did not let them sleep. He would let no one sleep; and no parish or parsonage was safe from his visits, no slumbering shepherd from his reproof. To some he seemed an intruder into other men's business, but his unceasing efforts to stir up the clergy to activity were never without effect, since his knowledge of detail, and his great experience in public affairs of all kinds, and above all his own example, gave him the right to speak with authority, and if necessary to rebuke.

The ideal bishop described.

Organisation was the key-note of the new condition of things; and the more a bishop organised his diocese, or a clergyman his parish, the more did the need of further organisation grow: active clergy brought more grist of work to their bishop's mill; active bishops found themselves more and more incapable of bearing the burden of the day. Diocesan organisation was necessary; for the condition of agricultural labourers and town operatives, the interests of the sick, the poor, of children and women, works of rescue, factory legislation, distribution of charity, the temperance movement, education in all its branches, workmen's dwellings, work amongst soldiers and sailors, missions at home and abroad, all the innumerable interests which made up the 'priest-like task' of Lord Shaftesbury's life, had come more prominently into the view of the clergy during the nineteenth century, since much of the evil and almost all the preventive and curative action was new; besides the strictly ministerial

Diocesan organisation.

functions of the clergy, interpreted by a school of divines who took a high view of a clergyman's 'duty,' who laid stress on daily services, frequent communions, and religious associations of all kinds, including the work done by sisterhoods and guilds. All this called for a great increase in the numbers of the clergy, and made it impossible for the bishops to carry out the needful work in their dioceses; dioceses which in many cases had increased tenfold in population. To take one instance out of many, in the diocese of Manchester during Fraser's fifteen years' episcopate, 'ninety-nine new churches, containing 57,000 sittings, nearly all free, and costing £685,000, were consecrated; twenty churches were rebuilt at a cost of £214,000; a hundred and nine new district parishes were created, and the whole fabric of diocesan machinery—conferences, board of education, and building society—had been created and was in perfect working order. The labour which the mere discharge of necessary episcopal duties involved was prodigious; for the numbers of persons he confirmed was counted by scores of thousands. But in addition to this he threw himself into almost every social movement of the day . . . he addressed meetings several times a day; he spoke to workmen in mills, and to actors in theatres. . . . He earned for himself the name of "bishop of all denominations."'

Bishop Fraser.

The most difficult problem to be solved was and is that created by the increase of population in the great towns, a problem insoluble by all the efforts of all the churches, and for the solution of which, if religious enthusiasm does not lead, organisation can do little. In Leeds, for instance, at the time of Dr. Hook's appointment as vicar in 1837, there were eighteen endowed churches and eighteen clergymen for 150,000 souls. 'The *de facto* established religion,' the Vicar wrote, 'is Methodism.' But if this was an evil, how much greater an evil was it that the majority of the population had no religion at all, and little if any access to religious teaching.

Problem of population.

On July 7, 1843, Bishop Denison of Salisbury presented a petition to Parliament against a proposed fusion of the sees of Bangor and St. Asaph, and in doing so advocated an increase in the number of bishops. Lord

Bishop Denison.

John Russell, always an eager reformer, took up the question when he became Prime Minister in 1846, and proposed that four new dioceses, Manchester, Southwell, Cornwall, and either Westminster or St. Albans, should be formed; of which only one, Manchester, came into existence in 1847, with an income of £4200. In 1851, an address signed by the archbishops, seven bishops, and ninety-eight laymen was presented to the Queen, in which it was proposed that deaneries should be suppressed in order to provide revenues for new bishoprics.

The Cathedral Commissioners of 1852 reported (16 March 1855) that it was desirable that a diocese of Cornwall should be created immediately, and that power should be given to the Crown to divide any diocese, under certain conditions of territory and population. No new see was to be erected until a sufficient revenue and residence were provided from private bounty, aided by the Ecclesiastical Commissioners. The places named for bishops' seats were St. Columb, for Cornwall and the Scilly Islands, to endow which see the advowson of St. Columb's Major, worth £1600 a year, was given to the Bishop by the Rev. T. Edmund Walker; Westminster; Southwell; and Gloucester, which was to be separated again from Bristol: but it was long before any practical action took place. The Commissioners mentioned other places in which it seemed to them desirable that new sees should be created out of old, as Newcastle, Liverpool, Brecon, Derby, Chelmsford or Colchester, Coventry, Ipswich, St. Albans, Bath; and some of these sees have been created since then, with *congé d'élire* and election by chapter where a chapter existed, by letters patent in other cases, and with right of succession to the House of Lords; the Commissioners did not recommend the appointment of suffragan bishops by the precedent of 1534 (26 Henry VIII. c. 14), but preferred the appointment of coadjutor bishops *cum jure successionis*, on the analogy of 31 Henry VIII. c. 9 (1540), 'an Act authorising the King's Highness to make bishops by his letters patents.'

Cathedral Commission, 1852-1855.

New sees created.

It should be understood that the Episcopate can be enlarged in three ways: (1) as in the cases of Marlborough, Reading, etc., by the appointment, under the statute of

1534 (26 Henry VIII. c. 14), of suffragans nominated by the bishop of the diocese, holding their commissions during his pleasure, and enjoying such jurisdiction, local or otherwise, as he grants them; (2) by the appointment or engagement of assistant bishops; and (3) by the creation of new dioceses out of old, as *e.g.* Southwell and St. Albans, the bishops of which sees become on appointment by letters patent or upon *congé d'élire* diocesan bishops, subject to the Archbishop whose suffragans they are, in the same manner, and with the same dignity and precedence and right of succession to the House of Lords, as the bishops of older sees. The appointment of a bishop coadjutor *cum jure successionis*, to assist a diocesan bishop who is unable from age or other infirmity to discharge his duty, a common practice in the Roman Church, has not been legalised; and if legalised it would not increase the number of sees, nor (except temporarily) of bishops.

Different types of bishoprics.

Extension of the Episcopate was a subject which naturally interested Convocation; and Archdeacon Randall, on February 10, 1858, expressed the view that if money could be found for the endowment of additional bishoprics, it would be better spent in increasing the emoluments of poor incumbents, or building churches or schools. A bishop meant a handsome house, a carriage and horses, a cellar of wine: even what Sydney Smith irreverently called a 'gig-bishop' would cost some thousands of pounds to endow. It was not till the great development of Church organisation in every department showed the need of it, that new sees were created and bishops empowered to consecrate suffragans to assist in the administration of overgrown dioceses.

Convocation, 1858.

On June 23, 1865, Lord Lyttelton, in presenting a petition to the House of Lords from 1500 clergymen and laymen, said that the increase of the Episcopate had been the subject of addresses from both Houses of Convocation, and that it had been suggested that part of the necessary funds might be provided from the estates held in trust by the Ecclesiastical Commissioners. Lord Russell replied that the Commissioners must in the first instance raise the income of poor livings, and was supported by Lord Shaftesbury, who spoke for himself alone; Lords

Lord Lyttelton in Parliament, 1865.

Chichester and Harrowby, his usual supporters, opposed him, and declared that it was better than there should be too few bishops than too few clergy. This called up Bishop Wilberforce to protest against the idea of a selfish or idle episcopate. The bishops exist only for the people, he said. Make more bishops, and you will get more money for parochial purposes. If there had not been a Bishop of London, there could have been no Bishop of London's fund.

Since it was necessary to pass a new Act of Parliament whenever a new see was needed, and since there was always a party which opposed the erection of a new see, it was natural that responsible ministers should avoid bringing bills into Parliament. But the difficulty continued, and no means of solving it appeared, till Bishop Wordsworth of Lincoln suggested that there was a statute of Henry VIII. which, if put in use, would practically remove it. This was the statute of 1534 (26 Henry VIII. c. 14), by which the King was empowered to appoint bishops suffragan in certain towns in England, on the application of the bishop of the diocese, who was in each case to submit two names for the King's selection. Archbishop Tait would have preferred direct legislation to facilitate the creation of new sees; but hearing from Gladstone and other ministers (1869) that the Government would not propose the foundation of new bishoprics, he withdrew. The Act of Henry VIII. was, therefore, put into action (1870) by the consecration of Bishop Mackenzie for Nottingham in the diocese of Lincoln and Bishop Parry for Dover in the diocese of Canterbury; and the policy thus begun has been continued and extended by the appointment of suffragan bishops and assistant bishops within the terms of Henry VIII.'s statute, and beyond them when the statute proved insufficient, and also by the creation of new dioceses by subdivision of the old.

Statute of 1534 revived, 1870.

The statute of Henry VIII. did not expressly say that the district allotted to the suffragan should be that in which the town lay which gave the title to the see; and advantage has been taken of this omission to attach the title to sees which have but remote connexion, or none at all, with their titular towns. But unless there is some ecclesiastical reason which inseparably links a bishop with a see, there would seem to be

no great pertinency in giving a territorial title to a bishop whose work lies elsewhere, and whose duty is to help the bishop of the diocese.

Convocation report, 1873.

On February 11, 1873, a report of their own Committee on this subject was considered by the bishops in Convocation. The report was to the following effect:—

The Committee, referring to the first and third reports of the Cathedral Commission, agreed with them that some increase of the home Episcopate was desirable. Such increase had already taken place by two methods: the employment of bishops who had returned from colonial sees, and the appointment of bishops suffragan under the Act of 1534. But neither of these methods supplied an increase of ordinary episcopal jurisdiction. To have recourse on every occasion to a new Act of Parliament was undesirable. There should be a general enabling Act, empowering the Queen in Council, with proper restrictions, to divide any existing diocese, subject to the assent of Parliament. The Committee did not recommend that funds for the endowment of new sees should be taken out of the episcopal estates held by the Ecclesiastical Commissioners, nor out of capitular revenues; they believed that private liberality would probably provide funds, if facilities were given for the foundation of new sees.

Wilberforce moves his report.

The report of the Committee was moved by Wilberforce, its chairman, whose speech was much taken up with the subject of episcopal incomes. He showed that the calls upon a bishop in his official capacity were a heavy burden, and that diminution of revenues would mean diminution of charities from all sources, since the bishop was in all cases expected to head by his own contribution the subscription to be raised.

Archbishop Tait.

Archbishop Tait expressed a strong opinion that the Legislature, not only the Executive Government, should be consulted in every instance when the erection of a new see was contemplated. 'I believe, he said, it is a strongly felt sentiment on the part of many of the most intelligent persons engaged in public life at the present time, that we are wise in retaining in every way this distinct connexion between the civil government of this country and

its ecclesiastical polity.' What was wanted was that the bishop's work should be more thoroughly done; that this could be effected was shown by the creation of the bishoprics of Nottingham and Dover. 'I see everywhere I go the great blessing which has attended the ministrations of the suffragan bishop.' He also spoke of dignity, hospitality, and learned leisure as things not lightly to be sacrificed. Bishop Browne of Ely, in the same debate, spoke in favour of the division of dioceses. The clergy wanted to be in touch with their own bishop, not with some one else; the work of the diocesan bishop, not of a suffragan, is what they look for and desire to have. But if dioceses were divided, and thereby labour and expense saved, it was reasonable that part of the endowment of the new see should come from the revenues of the old. There should be a bishop to each county. Bishop Selwyn of Lichfield denied the necessity of a certain income to maintain the position and influence of a bishop. The work had grown enormously, the number of bishops must be increased. 'If we multiply our bishops, provided their work touches the souls and consciences of men, no question will be raised as to their incomes or their social position. . . . I hold firmly to the principle that we must put the work to be done first.' The report was accepted with little alteration on February 12, 1873.

Bishop Browne.

Bishop Selwyn.

Lord Lyttelton, on February 23, 1875, again brought before the House of Lords a bill for the increase of the Episcopate. The intention of the bill was to make new dioceses, not to diminish the labour of the bishops by providing assistant bishops; for that they could do themselves under the existing law, and the experience of bishops was that where assistant bishops were appointed the work increased and the bishop was still overburdened. Such bishops also had not the full episcopal authority. It is interesting to compare with the peaceful dignity of an earlier generation the complaint of being overtasked which the bishops now make. Temple of Exeter, who knew how to labour, if ever man did, and was merciless to idle clergy, spoke in this debate of the 'enormous work' of his wide diocese,

Lord Lyttelton's bill, 1875.

Bishop Temple.

which no bishop till his predecessor Phillpotts had ever attempted to master; and Tait of London pointed to the fact that his diocese contained half a million more inhabitants and two hundred more churches than at the time of his appointment. The only jarring note came from Lord Shaftesbury, who wanted 'bishops, not prelates.' The bill was passed by the Lords, and was read a second time in the Commons, but was withdrawn at the end of the session.

Bishop Tait.

Lord Shaftesbury.

In 1875 an Act of Parliament (38 and 39 Vict. c. 34) was passed for constituting the See of St. Albans, with the Abbey for its Cathedral. The Bishop's revenue came from the sale of Winchester House in London; the diocese comprises the counties of Herts and Essex and some portions of other counties, being part of the diocese of Rochester.

After an unsuccessful attempt made by Beresford Hope in 1876, Lord Cross's Bishoprics Act was passed in 1878, by which Liverpool, Newcastle, Southwell, and Wakefield were conditionally created sees. Bedford was given to William Walsham How, with an understanding from Bishop Jackson of London that as suffragan Bishop of Bedford he would have the position of an independent bishop, and be responsible for North and East London. The diocese was practically though not technically severed from the See of London. The unsatisfactory nature of the arrangement was shown ten years later, when Temple succeeded Jackson in the See of London and refused to continue the independent understanding. 'A man must be either responsible and rule, or be irresponsible and obey. He must either take the lead or follow,' wrote the Bishop of London, (2 March 1886), and the Bishop of Bedford must comply or resign. Two such men could not disagree long; but the incident showed the weakness of the system.

Lord Cross's Bishoprics Act, 1878.

In 1888 the Canterbury House of Laymen recommended the formation of eight new bishoprics, to be, as far as possible, each within the limits of a single county; and the Committee of the Lower House of Convocation supported this. The dioceses of Birmingham and Southwark followed, but were not constituted till 1905.

A question not directly bearing upon that of the increase of the Episcopate, but connected with it, is that of the condition of the cathedral churches and chapters. The chapters were weakened and impoverished by the legislation of 1834 and the following years; they had not been brought into right relation with new conditions by comprehensive measures; and any advance made was owing to the higher ideal of clerical duty which now began to prevail, both from the direct influence of the Oxford school and from the need of action which was brought home to the clergy by the advance of secularism. Westcott and his friend Benson, anticipated by Pusey in 1832, did much to set the cathedral chapters on their way; the chapters were far from realising his ideal of cathedral life, one of 'systematic devotion and corporate action,' and of cathedral work 'regulated by the requirements of theological study and religious education,' but they had already begun to move.

In November 1852 a Cathedral Commission was appointed, among the members of which were Bishops Blomfield and Wilberforce, Sir John Patteson, Sir William Page Wood, Christopher Wordsworth, and Lords Blandford and Harrowby, to consider what improvements could be introduced into the cathedral bodies, already greatly affected by the legislation of the first reformed Parliament, so as to make the cathedral system more effective, and give the deans and chapters more definite duties in the several dioceses. Cathedral Commission, 1852.

The first report, dated July 1854, contains an historical account of the cathedrals of England and Wales under four heads, viz:—

1. Cathedrals of the Old Foundation, served by secular canons (*Ecclesiae Cathedrales Canonicorum Saecularium*), nine in England and four, the most ancient of all, in Wales.

2. Conventual cathedrals, eight in number, viz. Canterbury, Carlisle, Durham, Ely, Norwich, Rochester, Winchester, and Worcester; in which monks were substituted for secular canons at an early date. At the suppression of the monasteries new statutes were given to these cathedrals, and from this act, though ancient, they have the name of cathedrals of the New Foundation. Classification of cathedrals.

3. Bishoprics created out of religious houses by Henry VIII., viz. Bristol, Oxford, Peterborough, Chester, and Gloucester.

4. Recent creations—Ripon and Manchester.[1]

Many ancient abuses and inequalities had been reformed. The Archbishop of Canterbury no longer drew an income of £22,000, nor the Bishops of Durham and Winchester incomes of £20,000 and £11,000. Canons were no longer to receive large incomes with no duty except that of paying a substitute to preach two sermons a year at the rate of a guinea apiece. Archbishops and bishops were no longer to heap canonries, prebends, and benefices on their sons and sons-in-law. Pluralities were done away with, and patronage regulated; the cathedral estates had, to a large extent, been taken over by the Ecclesiastical Commissioners, and the poorer sees augmented out of the revenues of the richer; the number of canonries residentiary had been reduced and equalised; local institutions and terms had been altered, in some cases unfortunately, for the sake of uniformity.[2] The cathedrals were no longer to be regarded as self-governing corporations, like the colleges of Oxford and Cambridge, owning their property in full possession and accountable for its disposal to none but themselves, but as public bodies holding their revenues as a trust, and subject to the discharge of an office of public utility. They had lost much dignity in consequence. It was to be wished that a new spirit should be brought into places where prejudices in favour of freehold and patronage lingered longest. The cathedrals were to take the lead in the work of the diocese, and thus were to be 'centres of life,' not dormitories.

Cathedral estates.

The views of moderate reformers were set forth in various pamphlets, the most conspicuous of which was one in the form

[1] Freeman (*Essays on Cathedrals*, ed. by Dean Howson, 1872, No. vi.) divides the cathedrals into those of (1) the Old and (2) the New Foundation; (2) being all those cathedrals (including some of the most ancient of all) whose chapters, in their present form, date from the time of Henry VIII. or later.

In all the ancient cathedrals, the *personae principales* after the Bishop are the Dean, Precentor, Chancellor, and Treasurer. The other members of the chapter were of no uniform number or designation till the Act of 1836 regulated their numbers and imposed the universal title of canon.

[2] See Part I. p. 113.

of a letter written to the Bishop of Salisbury by Sidney Herbert, Member for South Wilts. Alleging 'the insufficiency of the Episcopate and inefficiency of the Chapters,' he founded his plan of reform upon a new reading of the statutes of the old cathedrals; his object was to bring new life into the spirit of the cathedral system, not to leave the cathedrals as 'ecclesiastical monuments, with a few idle clergy in occasional residence, a choir, and an organist.' To restore the obligation of residence was one of the most important points in his programme. A deanery or canonry was looked upon as a source of income and an opportunity of patronage; it was gained by political services, by personal favour, or family interest; no sense of public duty attached to it, and residence was looked upon merely as an irksome or agreeable change of domicile for a few weeks in the year. The ancient cathedral constitutions made the Canons in Chapter a council to the Bishop; their duty was to help the Bishop in maintaining a school of theology, and to assist him in all matters of ritual, discipline, and education throughout the diocese, from the cathedral as a centre; to give an example of study, religious retirement, charity, and hospitality. The chapters, it seemed, had forgotten all these duties except the last. As Sydney Smith said, 'the duty of the Dean is to give dinners to the Chapter, and the duty of the Chapter is to give dinners to the Dean.'

Sidney Herbert's plan for reform.

The wholesome activities mentioned above are germane to the idea of a cathedral as the centre of a diocese; but if all the cathedral bodies aimed at doing the same work, labour would be wasted; a scheme, to be successful, must be particular as well as comprehensive. The conditions of the various cathedrals are not uniform: Lichfield, Wells, and Ely are not as Manchester, Rochester, and Bristol; Durham has its university, Wells and Lichfield their theological colleges; the activity of chapters has been increased by attaching canonries to archdeaconries, and much more might be done if it were possible to give a different character to the different chapters. But in any case the first essential is that definite duties as well as emoluments and dignity should be attached to the deaneries and canonries, and that residence should be a reality. A resident chapter, with

Residence of canons.

special duties assigned to each canon, should work the parish system of the cathedral city, attend to diocesan charities and societies, govern the cathedral school, manage a theological college and pastoral training school or other schools affiliated to the Universities, set a pattern of decorous ritual, and aid the development of church music.

The name of Walter Kerr Hamilton, Bishop of Salisbury, deserves commemoration here, as one of those who originated the stirring of the chapters into corporate life. Bred an Evangelical and converted by the example of the Tractarians, on his appointment by his friend Bishop Denison to a canonry at Salisbury in 1841 he established daily prayers in the cathedral at eight, and weekly communions, and laboured to make the cathedral a centre to the city and the diocese. When made Bishop of Salisbury in 1854, his first care was to found a theological college, in order 'to create a corporate religious atmosphere.' No phrase could have been better chosen to mark the difference between the old cathedral system and the new.

The general idea expressed by the reformers of the day was to utilise, not to abolish, existing institutions. But it is easier to destroy old conditions than to create new; the process of transmutation was hampered by one serious hindrance. The leading idea of the Commissioners of 1852, which would have altered the whole character of the chapters, the idea of a body of dignified clergy, resident for nine months in the year, and entrusted with clearly defined duties, did not speedily take effect, chiefly because a residential unbeneficed clergy must be well paid, and given work to do, or canonries would not attract men of learning and industry. The minimum proposed by the Commissioners was £1500 a year for the deaneries and £750 for the canonries; but sufficient funds were not forthcoming for the purpose.

Reforms proposed.

The cathedral question naturally engaged the attention of Convocation; and on February 26, 1869, a Committee was appointed to consider the objects and duties of cathedral chapters, which reported on February 13, 1871. Among these are mentioned the encouragement of theological learning, preaching, home missions, educa-

Convocation on cathedrals, 1869.

tion, addresses and lectures, and church music. It is suggested that some cathedrals might organise one, some another, of such subjects as the following: theological colleges, training colleges for teachers, cathedral and other church schools, penitentiaries, sisterhoods, orphanages, and other charitable works.

From the tone of the report it may be judged that the Committee had before them something of a mediæval ideal, that of a college of priests perpetually resident in the cathedral city, living to some extent a common life, with clearly marked duties, under discipline, and responsible to the bishop. They do not deal with the difficulties arising from old capitular traditions of non-residence, hospitality, patronage, the tendency to look upon cathedral preferment as a sinecure; and it is to be noticed that whereas these traditions, partly at least, rested on the fact that canonries in general were not as a rule sufficiently valuable in themselves to maintain the old traditions, and required other preferment to keep them up, no additional emolument was offered in proportion to the burdens which it was proposed to lay upon their occupants. In the main, what was now proposed by the Committee of Convocation was in agreement with the recommendations of the Commissioners of 1852; but no indication was given as to how the deficiency of income, which has been aggravated since that time, should be made up.

The cathedral bodies have gone far since 1852 in all the directions indicated by the Commissioners, but this is more because the general sense of clerical responsibility in the country and in the cathedral establishments has been stimulated, and the idea of well-endowed leisure discountenanced, than from any improvement in the external or imposed conditions of cathedral activity. The cathedral clergy are now for the most part resident, and less wealthy but more active; and much credit is due both to them and to the bishops for effecting so much in spite of all difficulties.

AUTHORITIES.—*Report of Cathedral Commissioners*, 1855; *Essays on Cathedrals*, edited by Howson. HISTORIES: Paul, Walpole, Martineau, etc. BIOGRAPHIES: *Tait*, by Davidson and Benham; *S. Wilberforce*, by Wilberforce; *Fraser*, by Hughes.

TABLE OF SUFFRAGAN BISHOPS CREATED SINCE 1870

Canterbury	Dover. Croydon.
York	Beverley. Hull. Sheffield.
London	Stepney. Islington. Kensington.
Durham	Jarrow.
Winchester	Guildford. Southampton. Dorking.
Carlisle	Barrow-in-Furness.
Exeter	Crediton.
Lincoln	Grantham.
Manchester	Burnley.
Norwich	Thetford. Ipswich.
Oxford	Reading.
Peterborough	Leicester.
Ripon	Richmond. Knaresborough.
St. Albans	Colchester. Barking.
St. Davids	Swansea.
Southwark	Woolwich. Kingston-on-Thames.
Southwell	Derby.
Truro	St. Germans.
Salisbury	Marlborough.

Thirty in all. There are also five Assistant Bishops.

CHAPTER IV

SISTERHOODS: AURICULAR CONFESSION

SINCE the increase of population takes place in towns, not in the country, one of the most difficult problems at the present time for the ministers of the Church of England, and indeed of all denominations, is to reach the masses in the great towns. Mr. Charles Booth, in the seventh volume of his *Life and Labour in London*, draws attention to the advantage which the parochial system gives to the clergy of the Church of England, by giving them a right, which is not much disputed, of calling at all houses in their parishes and making themselves acquainted with the circumstances of their parishioners. It is something to be able to say 'the people know me,' and the crowding of population into a small space at any rate makes the poor in towns more accessible than in scattered country parishes. Visiting is a means of making known to those who are hostile or indifferent what spiritual aids the parish provides: Sisters, Deaconesses, Scripture readers, Biblewomen, the Church Army, the Church Lads' Brigade, and many other institutions. Mr. Booth speaks well of the condition of parishes which are conducted by a clergy-house on a celibate and semi-monastic plan, and where the self-sacrificing life of sisterhoods and brotherhoods strikes the imagination of the unevangelised poor; he praises also the small parish in which the parson and his wife work hand in hand, and the large parish with its numerous staff of curates and lay helpers. 'The work is nobly done, and worthy of a national Church.'

Growth of population in towns.

Mr. Charles Booth on the parochial system.

Parish organisation in towns.

Why then is it attended with so little success? Partly because the struggle for existence is so severe as to leave the poor little leisure for religion, and of itself makes for materialism, partly because the tradition of the Church is monarchical and aristocratic, and the clergy have difficulty in meeting the democratic movement; their bringing-up is too refined to allow them to tolerate the love of excitement and the gross pleasures of the poor, and they think much of Church ordinances, in which many of the people see nothing but empty form.

Means of religious influence.

Some of the High Church clergy recommend the practice of confession as the only means of keeping young people from sinking to the level of their neighbours; the Evangelicals look to conversion. Those speak most hopefully who base their teaching on a definite dogmatic foundation, and do not 'water down' their doctrine. They have something positive to oppose to heathenism. The principal reason alleged for discouragement is that the people will not go to church; 'the vast majority attend no place of worship.' The Roman Catholic clergy do more to keep their people together than those of any other Church. The poor, where they can be persuaded to go to an Anglican church at all, go to mission churches, which they attend in large numbers, and where they are not ashamed to be seen in working clothes. In such churches the doctrine preached is, for the most part, of an advanced High Church character. By the teaching in Sunday schools, and where possible in voluntary day schools, by catechising classes, evening schools, confirmation classes, and all the methods of contact supplied by Temperance Guilds, Bands of Hope, Societies of the Holy Child, Communicants' Guilds, Church Lads' Brigades, and similar associations, much good is done to individuals, and some good in raising the social tone. Wherever personal influence is brought to bear, personal results may be expected; but the difficulty is to come into personal contact with the working class; settlements of celibate clergy offer an opportunity for this in the great towns. Monasticism is seldom thought of, the Anglican clerical ideal is that of the parish; but in a different sphere of activity a noble example has been set by sisterhoods.

Sunday schools, guilds, etc.

The 'religious' life was unknown in England sixty years ago, except in the experience of the Roman Catholic families, and the idea of restoring or imitating it within the limits of the Church of England was looked upon as a dangerous piece of Romanising encroachment, including as it did unfamiliar teaching as to celibacy, poverty, obedience to rule, and possible interference with family life. The world values religious communities because of the practical good which they do; but to those who founded them in the English Church the conventual ideal was dearer than the opportunity for good works. They found monasticism established in the early Church, and wished for its revival in the Church of England. It is the fashion of Englishmen to make experiments without much regard to precedent or the experience of others. As with ritual, so with sisterhoods a system is founded without any clear view of its probable development, without limitation of its activity, without direction from authority. The inception is of personal choice; the selection of rules is arbitrary; but the thing works, and by degrees wins acceptance with the public, and ultimately the patronage of the bishops, though not till they have ceased to be able to control it.

The first practical step towards the restoration of religious communities in England was taken by Pusey. He was led by his study of the Fathers to value the celibate life, which he also found to be appreciated in the writings of Hooker, Andrewes, Taylor, and other Anglo-Catholic divines. He wrote on December 18, 1839: 'Newman and I have separately come to think it necessary to have some *Sœurs de Charité* in the Anglo-Catholic Church'; and Newman, soon after (21 February 1840), wrote to his friend Bowden, 'I feel sure that such institutions are the only means of saving some of our best members from turning Roman Catholics, and yet I despair of such societies being *made* externally. They must be the expansion of an inward principle. All one can do is to offer the opportunity.' Again, in November 1840, Pusey wrote to Dr. Hook, the Vicar of Leeds: 'I think that they are calculated to draw a blessing upon the Church in which they are found, as the Fathers always speak of the Virgins.' Hook agrees, but points out difficulties in the

Pusey on *Sœurs de Charité*, 1839.

Pusey and Hook, 1840.

way. 'I am always an advocate for exhibiting works before principles. Let the good be done before we tell people why and how it is done.' He advises that an elderly matron full of zeal and discretion should be trained by Pusey and sent to Leeds, with two or three others, to help the clergy in visiting the sick. Pusey wished for rules and vows; others were more timid or cautious. Both he and Newman were present (15 June 1841) when a young woman, Marion Hughes, took a vow of holy celibacy, and Pusey soon after this went to France and to Ireland to see the working of the conventual life. His own daughter Lucy dedicated herself to the religious life in 1841. Soon after her death, three years later, two meetings were held in London, with the approval of Bishop Blomfield, and it was resolved to take steps for the establishment of a sisterhood, the duties of which should be to visit the poor and sick in their own homes, and in hospitals, workhouses, and prisons, to help children, and to assist in burying the dead.

Sisterhood at Park Village West, 1845.

On March 25, 1845, two friends, Jane Ellacombe and Mary Bruce, set up house together at Park Village West, near Regent's Park, and were soon joined by others, one of whom, Miss Langsdon, was chosen as Superior. The institution was described in a paper issued soon after the House was opened. It was to be on the model of a sisterhood 'living under a religious rule, and engaged in relieving distress wherever it may be found,' under the direction of the clergyman of the parish, the Rev. William Dodsworth of Christ Church, Albany Street, who himself was under the control of Dr. Pusey, the 'Spiritual Superintendent' of the community. The paper was signed by Churchmen, chiefly but not entirely, of High Church opinions.

Rules of the Society.

A rule was at once drawn up by Pusey, on the model of that of St. Augustine, which goes the full length of the Roman usage in the minute regulation of every hour of the day and every detail of external and internal conduct, and adds to the obligation of saying the offices for the seven canonical hours that of attending mattins and evensong in church, according to the English use. The rules were not submitted to the Bishop at first, but they were finally sanctioned by him, provided that they were

'wisely and judiciously carried out.' Exception was taken to the book of devotions drawn up by Pusey for the use of the Sisters, because it was taken from the Breviary. Pusey's answer was that the English Prayer Book also was taken from the Breviary, and that the manual drawn up by him contained nothing which is discountenanced or only half countenanced by the Church of England. Prayers for the dead, legends, black-letter days, were not to be found in it; 'much less any mention of the intercession of saints.' Offence was given also by the distinctive dress which the Sisters assumed, as being affected and Popish. Pusey advised the Sisters to persevere, and the objections came to an end. The Sisters went wherever they were wanted, and this was soon found out; their whole time was taken up by attendance on the poor.

Miss Sellon, 1848.

In 1848, Priscilla Lydia Sellon (1821-1876), an enthusiast for the employment of women, was attracted by an appeal (1 January 1848) from Bishop Phillpotts to offer herself for work among the poor of the 'Three Towns,' Plymouth, Devonport, and Stonehouse. Educational work had Miss Sellon's especial sympathy, and she took a house in a district of Plymouth containing a population of four to five thousand, almost entirely of the working class and without church or schools. Her success here led her to undertake the preparation of her scholars for confirmation; she established also a school for starving children and a home for the orphan children of sailors. The ordinary parochial system was wholly inadequate to meet the necessities of the case; volunteer work of a high and self-denying character was needed. The Bishop saw the need, and sanctioned the institution of a community of Sisters of Mercy. Miss Sellon became the Superior of the sisterhood; the Sisters took for their habit a plain black dress, with a cross of black wood.

The Devonport Sisters of Mercy, 1848.

Among the institutions set up and maintained by this devoted sisterhood were a college for sailor boys, a house of peace or a home for superannuated sailors, an industrial school, lodging-houses for poor families, workmen, women, and female emigrants, a ragged school, a home for destitute children, and soup-kitchens for the poor. Miss Sellon gave all her private fortune, both actual and prospective, to the furtherance of her

work. Her chief support was Dr. Pusey, who became the Spiritual Director of the sisterhood; his connexion with it gave rise to uncharitable and foolish suspicions, which were dissipated by a public inquiry held by Bishop Phillpotts on February 15, 1849; his verdict was a complete vindication of Dr. Pusey and Miss Sellon, and established the Sisters in popular estimation. Their credit was greatly increased by their self-devotion at the time of the cholera plague in 1849. 'The proper place for Sisters of Mercy,' said Miss Sellon to a clergyman of Devonport, who hesitated to expose them to so much danger, 'is amongst the sick and the dying; if you refuse our aid, we must offer it elsewhere.' 'Never have I witnessed,' wrote another clergyman, 'anything that surpassed or even equalled the self-abandonment and self-sacrifice of those humble Sisters. . . . That hospital was a sacred place.'

Inquiry held by the Bishop of Exeter, 1849.

Attacks upon Miss Sellon were renewed in 1852 by the Rev. James Spurrell of Great Shelford in Cambridgeshire, on the ground of the popish character of the sisterhood. He pointed out that the rule of the community was similar to the monastic rules of the Roman Church, and that a very strict system of discipline prevailed, which subjected the Sisters to 'an exact obedience to the directions of the Superior, and to the spirit and the letter of the rule'; or, in Miss Sellon's words, obedience 'whole and trustful and filial and entire,' which might and did lead to a contest of wills in a case where a mother's wishes for her daughter did not agree with those of the Superior. Spurrell also showed that the whole character of the institution was imitated from Roman models adapted to Anglican formularies. He also raised the general question whether the conventual system, 'wisely abolished here at the Reformation,' was to be set up again, and whether 'our Church should be the nursing mother of nunneries and the protectress of institutions, the popish practices and Romish service of which, together with the erroneous instruction imparted by their members to the poor, must help forward in no small degree the swelling tide which is setting in against the pure faith of the land.' Though his attack may have been prejudiced and ill-natured, his protest against spiritual tyranny is borne out to

Attack by Jas. Spurrell, 1852.

Conventual system.

some extent by other evidence, which goes to show that Miss Sellon's rule was severe and inquisitorial, and demanded a submission of will so complete as to amount to bondage; one of the dangers, both to the rulers and the ruled, inseparable from the *perinde ac cadaver* theory of monastic rule, abuse of which is only avoided by frequent and regular visitation by a superior authority.

The Bishop of Exeter took exception to the manner in which the first principle of the Society, that of full liberty to any Sister to withdraw from it, had been 'virtually abandoned' by Miss Sellon, who put strong spiritual pressure upon a Sister who wished to retire from the community. He also commented upon the extravagance of the claim to 'holy obedience'; yet he wrote in the warmest terms of his lively interest in the institutions, and subscribed himself, 'Your faithful, admiring, and affectionate friend.'

Bishop Phillpotts withdraws his countenance, 1852.

Penitentiary work was soon taken up. The first endeavours to found a penitentiary system were on a domestic model, in small houses conducted by paid nurses or by widow ladies. Something stricter and more formal was found to be required; especially, an example of self-sacrifice which would appeal to the imagination of a class of women very susceptible to personal influence. The trained Sister, 'by her influence, aided by her habit, soon brought order out of chaos.'

Penitentiary work.

The penitentiary system was first brought prominently forward by John Armstrong (1813-1856), Vicar of Tidenham, near Chepstow, in Gloucestershire, and for two years Bishop of Grahamstown, a High Churchman of saintly life, who saw, from his experience among the poor, that the existing penitentiaries and Magdalen hospitals did little against the evil of prostitution in great towns. 'They alone,' says Canon Carter, in his biography of Armstrong, 'had for many years stood in the gap to provide a remedy against the dreadful progress of perhaps the greatest spiritual curse prevailing in the midst of us. . . . But it was a general and increasing conviction that some vital change was needed . . . and that both greater powers of influence upon the inner life, and a fuller working out of the Church's system,

John Armstrong of Tidenham.

were needed to promote any adequate and satisfactory results.'

In September 1848 public attention was drawn to this difficulty by an article in the *Quarterly Review*, written by Armstrong. Something, he said, had been effected; but the efforts to meet the huge mischief were 'puny, starved, and dwarfish.' The number of women on the streets of London were computed at ten thousand, the number of inmates of eight penitentiaries or hospitals was but four hundred and forty-one. Hundreds of applicants were turned from the doors. Their relations would not receive them; and if they would, home was not the right place for them. There was nothing left for them but to go back to the streets. Legislation might do something; but experience showed that the best hope of reformation lay in private endeavour. Now was the time for a great endeavour, and on a new foundation, that of religion. The daily pastor's office is more effective than the weekly preacher's. Resident church chaplains should be appointed in the penitentiaries; some opportunity for solitude should be given to the penitents, for whom life in a crowd stimulates excitement; religion should be the main thing aimed at. There is no hint of sisterhoods in all this. The writer aimed no higher than the services of a chaplain and a matron. Neither Armstrong nor Pusey himself could at this time have foreseen the great results which were to follow the development of these small beginnings by the application to them of the conventual system.

Armstrong's article in the *Quarterly*, 1848.

Armstrong's article in the *Quarterly* was much discussed; and in 1849 he published, besides other articles, an *Appeal for a Church Penitentiary*. The plan devised by him was the establishment of penitentiaries in popular centres, refuges 'into which sinners from the very streets might at once be gathered,' together with penitentiaries in the country 'to which the more promising cases might be transferred from the refuges, after due testing, for the purpose of a more complete training.'

Armstrong's appeal for a Church Penitentiary system, 1849.

A House of Mercy was established in 1851 at Bussage in Gloucestershire, near Bisley, Thomas Keble's vicarage. In the following year, 1852, a Church Penitentiary Association was founded in London, with the full approval of Bishops

Blomfield and Wilberforce, for the purpose of raising a fund to help local efforts in the foundation and maintenance of penitentiaries. What gave Armstrong's work its peculiar character was the religious stamp set upon it by the devotion of those who undertook it. It was found in practice that the example of a complete devotion was the only way to win the confidence of penitents, and the sisterhoods have never relaxed their self-sacrificing labour; for though this ministry is subject to much disappointment, it is also full of encouragement and hope. The moment in which this great work was undertaken was favourable. Within a few years a great impulse to women's work was given by Florence Nightingale's mission to the Crimea in 1855; the doors were opened, and many unemployed women who had been prisoners at home found themselves at liberty to make a profession of the service of God among the poor, the sick, and the fallen.

Bussage House of Mercy, 1851.

Church Penitentiary Association founded, 1852.

Florence Nightingale, 1855.

Thomas Thelusson Carter, one of the notable figures in the church history of the nineteenth century, was among the first to take up the movement in favour of the religious life begun by Armstrong. A parishioner of his at Clewer, near Windsor, Mrs. Tennant, a Spaniard by birth, took into her house a few women of the degraded class always to be found in the neighbourhood of a garrison town, and as applications increased other ladies came to Clewer to help her. The first intention was only to keep the women at Clewer for a short time, till they could be transferred to a London penitentiary; but the work grew, and the Clewer House of Mercy was opened in 1849 as a permanent settlement. Mrs. Tennant, who had a remarkable power of attaching and controlling women of this class, was able to carry on the work till 1851; and in 1852 Harriet Monsell, daughter of Sir Edward O'Brien of Dromoland, County Clare, and widow of Charles Monsell, an Irish clergyman, came to the House of Mercy to relieve her.

Mrs. Tennant at Clewer, 1849.

Clewer House of Mercy, 1849.

The work was henceforward to be conducted on conventual lines, and by means such as can be provided only in religious communities constituted under Church authority. The ex-

ample of the Roman Catholic Asylum of the Good Shepherd at Hammersmith was an encouragement, and also that of the Lutheran Society founded at Kaiserswerth by Pastor Fliedner, an admirer of Mrs. Fry. Dr. Hawtrey, Head Master of Eton, and Edward Coleridge, one of the assistant masters, were warm and effectual supporters of Mr. Carter and his curate, Wellington Johnson, better known as Archdeacon Furse; and in 1852 the community of St. John the Baptist, Clewer, was formally founded, with Mrs. Monsell as its first Superior.

Community of St. John the Baptist, Clewer, founded: Mrs. Monsell Superior, 1852.

Mrs. Monsell combined in an extraordinary degree an exalted and enthusiastic piety, practical good sense, untiring energy, power of government, and, above all, knowledge of human nature, and the loving-kindness which makes obedience a willing tribute. She may have lacked some of the loftiness of Miss Sellon's character; she was more the Mother than the Lady Abbess: but for that very reason she filled a larger place in the hearts of her sisterhood. Though she had never served, she did not domineer; and the Sisters trusted her judgment so fully that obedience was made easy. The Community of St. John, Clewer, set going by so energetic and enterprising a head, soon overstepped its early limits, and established branches in many parts of the country, no longer confining itself to rescue work, but setting up homes and schools for boys and girls, orphanages, hospitals, and taking part in parochial and mission work. It has now nearly fifty affiliated houses, among which may be mentioned, besides the institutions which have grown up round the mother house, mission establishments at St. Barnabas', Pimlico, St. Alban's, Holborn, St. Frideswide's, Poplar, houses of mercy, refuges, or penitentiaries at Highgate, Oxford, Newport (Mon.), Leamington, Salisbury, and Bovey Tracey, besides settlements in India and America.

Progress of the Clewer community.

Another early labourer in the same field was William John Butler, Vicar of Wantage, Berks (1818-1894), and afterwards Dean of Lincoln. Before going to Wantage in 1847, he had already designed the foundation of a sisterhood, to be employed primarily in parochial work, especially female education, and also for the training

Community of St. Mary the Virgin at Wantage, 1849.

of Sisters as school teachers in neighbouring parishes. The first Mother Superior of the community of St. Mary the Virgin, established at Wantage in 1849, was Elizabeth Lockhart, who after a short time altered the destination of the community, against the wish but with the consent of the vicar, from educational to rescue work. The foundation stone of St. Mary's Home was laid at Wantage on July 25, 1855; and from that time to the present day the institution has put out some thirty branches in London and elsewhere, and has also founded schools and orphanages in India.

St. Mary's Home, Wantage, founded, 1855.

John Mason Neale, Warden of Sackville College, East Grinstead, a home for aged poor, finding that the ordinary parochial ministrations of the clergy were insufficient to reach every part of a large and scattered parish, thought it worth while to try the experiment of employing the agency of women for the relief of the bodily and spiritual needs of the poor; 'going to the sick poor whenever called for, living under their roof, sharing their discomforts, refusing no difficulty, and adapting themselves to all circumstances.' The sisterhood of St. Margaret at East Grinstead was founded with this view by Dr. Neale in 1854; and it has grown in the same manner as the Clewer community, and much on the same lines. A visitor who wishes to join the sisterhood is, after a time, received as a postulant, and at the end of six months as a novice; two years later comes profession, by which act the novice devotes herself to God for life as a Sister of Charity. The sisterhood has also associates attached to it, and a confraternity of priests and laymen. The St. Margaret's Sisters began mission work in Soho in 1858, 'amidst the squalor and wretchedness of the Five Dials.' In 1862 St. Agnes' school was established; in 1864 the daughter house of St. Margaret of Scotland, at Aberdeen. There are missions at Cardiff, Newcastle, Sunderland, and in other towns; rescue work is carried on at the House of Mercy, Roath (Cardiff), at Chichester, and elsewhere; schools, orphanages, convalescent homes, hospitals, and a Home for the Dying have grown up under the same impulse and direction; the continual growth of the Society bears witness to its usefulness. Its settlements

Sisterhood of St. Margaret, East Grinstead, 1854.

East Grinstead Sisters in London, Aberdeen, and elsewhere.

now extend to Johannesburg and Montreal, and in the United States to Boston and Philadelphia.

Portsmouth Deaconesses.

Of a less conventual type are the Sisters of the Winchester Diocesan Deaconess Home at Portsmouth, originally established at Farnham in 1879, under the immediate care of Bishop Harold Browne, and removed to Portsmouth in 1884. The present building, St. Andrew's, Portsmouth, was finished in 1894. The object of the institution is to train deaconesses for mission work, and the Sisters living in the Home work as deaconesses in Portsmouth. They visit, teach, conduct meetings, girls' clubs, etc., hold Bible classes and visit at the prison. They also manage a Home of Comfort for the sick and dying among church workers, poor clergy, governesses, and clerks who are too poor to provide for themselves, but shrink from accepting pauper relief. The deaconesses, after probation and examination, are admitted by the Bishop with a form of ordination by laying on of hands. No vows are imposed, and no obligation is incurred of life-long service; but it is understood that the vocation is one which should not be taken up or laid down but under a sense of serious responsibility. There are many other communities of women engaged in good works, such as those of St. Thomas the Martyr, Oxford, founded in 1847, All Saints, Margaret Street, and at St. Albans, founded in 1851. They are to be found in every diocese, and it is impossible to praise too highly the self-sacrificing lives and holy example of the Sisters and deaconesses.

Church Congress at Oxford, 1862.

In the ten years from its first beginning, the growth of sisterhoods had gone so far as to excite both admiration and alarm. The bishops were not unanimous: some favoured sisterhoods, some the evangelical organisation of deaconesses. At the Church Congress at Oxford in 1862, held under the presidency of Bishop Wilberforce, two different views of sisterhoods were put forward. Dean Howson of Chester expressed a wish that those of all classes who gave themselves as deaconesses to ministration amongst the poor should do so 'officially, professionally, and as the business of life,' but without any permanent dedication, or any imitation of Roman Catholic institutions. Bishop Wilberforce protested against vows of celibacy, either for life

or for a fixed term. On the other side, Canon Carter, whilst allowing that there was room for deaconesses, upheld the monastic ideal of an abiding state according to the call of God, a fixed rule under a superior, episcopal sanction, and a distinctive dress. To this Pusey added the necessity of absolute obedience, and said that no woman called to the work can leave the religious life without sin. Both speakers stated or assumed a life under priestly direction.

The stricter rule has prevailed since that time. The clergy who directed the movement welcomed the necessity. Nor did they shrink from the responsibility of setting religious vocation above the ordinary claims of family life, and prescribing perpetual consecration to the religious life, conducted on the full monastic model in work and in prayer, and under irrevocable vows. An immense development of the conventual system has taken place, the rule of which is founded upon mediaeval or Roman doctrine and practice. The vows of lifelong devotion to poverty, chastity, and obedience are kept with joy; long hours of prayer, the constant direction of a priest, the opportunity of daily communion and frequent confession, in some cases the reserved Sacrament in the chapel of the community, are privileges highly valued; and it is not easy to dissociate conventual life from the doctrines and practices in which it had its birth.

Extension of the conventual system.

Bishop Tait, who took an early interest in sisterhoods, laid down clearly and consistently that he disapproved of vows or any restriction of a Sister's liberty to leave her community at her own will, and would have nothing to do with compulsory confession, undue 'direction' by a priest, or neglect of family ties for self-imposed duties, and on the question of obedience he expressed his sense of the danger of 'imperiousness in the higher . . . and servile submission in the lowest members.' He was at first cautious in his support of the Sisters of All Saints' Home, Margaret Street, 'the first outpost of the Tractarians in London,' though he afterwards granted them his full approval. Bishop Wordsworth of Lincoln, who gave much thought to this subject, both in its antiquarian aspect and as a practical question, was in agreement with Tait as regards vows of perpetual celibacy, though he

Bishop Tait and the All Saints' Sisters.

Bishop Wordsworth.

saw no objection to a free lifelong dedication at a mature age. He had, indeed, much sympathy with the movement, and actively forwarded the establishment by his own sister-in-law, Elizabeth Frere, of St. John's House, a home for nurses attached to King's College and Charing Cross Hospitals. In this case no vows of celibacy were received: the dress was simple, and the aim of the institution was in no respect extreme.

Archbishop Benson. Archbishop Benson held a strong view that the attitude of certain sisterhoods to their diocesans was 'quite unwarrantable'; and spoke of one of them as 'a dissenting community, owning no bishop or authority of any kind.'

The growing and continuing success of the system, in spite of much opposition, shows the power and vitality of the tractarian movement, and is evidence that sisterhoods met a real want of the time. We need not inquire whether a holy and devoted life can only be led under these conditions; the communities of deaconesses tell a different story; but the High Church clergy and laity deserve the credit of having set in motion and maintained an organisation of great efficacy and most beneficent spiritual power, which works with untiring energy against the evils concentrated in our great towns.

Among the good works favoured by the evangelical portion of the Church, that of the Biblewomen is one of the most effective. Mrs. Ranyard (Ellen White), better known as 'L.N.R.', was the founder of this institution. She was brought up in a Congregationalist household; but the ministrations of the Biblewomen know no distinctions of creed, and this association has its place in an account of church work. Ellen White, as a girl of sixteen, went with a friend, Elizabeth Saunders, to visit a poor and fever-stricken district, and from that hour devoted herself to making the Bible known to the poor. The place which they visited was so pestilential that Elizabeth Saunders contracted typhoid fever and died soon after. Ellen White was also attacked, but recovered; and the sense of the danger from which she was delivered revived her resolution to spend her life in Bible service. The plan which she adopted was to collect pennies from house to house, and

Bible-women.

Ellen (White) Ranyard, 'L.N.R.'

distribute Bibles, a service which gave much opportunity of evangelising, and also exposed the evangelist to rough language, and in a few cases to insult, and even violence. The work was done in close connexion with the Bible Society. At the age of twenty-nine Ellen White married Benjamin Ranyard of Swanscombe, near Gravesend, but still continued her Bible work. In 1854, on the occasion of the Bible Society's Jubilee, she wrote a book which became famous, *The Book and its Story*. It contained a summary of archæological and other discoveries bearing on the history of the Bible; and in consequence of the great success of this work, she was asked to edit (1856) a Bible Society monthly magazine, *The Book and its Missions*, containing the history of the Bible Society, specially with reference to missions and the lives and sufferings of missionaries.

The Book and its Story, 1854.

Mrs. Ranyard came to live in Hunter Street, Bloomsbury, in 1857, not far from Seven Dials, where much of her work was done. Here she became acquainted with a young married woman, whose name is given as 'Marian,' the daughter of a drunken father, who had died, leaving her and a little sister destitute in a low lodging-house of St. Giles's, 'orphans in the midst of pollution, which they, as by a miracle, escaped, often sitting on the stairs or doorstep all night to avoid what was to be seen within.' The younger sister died; Marian married at eighteen, in extreme but decent poverty. In 1853, having taught herself to read by looking at the books in the shop windows, she happened to take shelter in a little mission hall, and what she heard there induced her to ask for a Bible from a newly-formed lending library for the poor. She fell ill, and spent some time in hospital; when she recovered, she wrote to a missionary who had visited her that she wished 'to dedicate the time she had to spare—it might be two or three hours a day—not so much to the decent poor . . . but to the lost and degraded of her own sex.' She was recommended to Mrs. Ranyard, and thus she became the first Biblewoman. Her story shows her to have been a woman of great devotion and strength, and of much intellectual culture in spite of her bringing up. 'It appears,' she wrote, 'that God is graciously marking out a path for me in which alone I am

The St. Giles's Mission, 1857.

fit to labour. I know nothing of the customs and manners of the rich; I could not undertake the most menial service in a gentleman's house; but I can talk to the poor outcasts among whom I dwell; my deepest sympathy is secured to them by the sad history of my own early days. . . . It will be a privilege for me to obtain admission to these miserable homes; and on what an errand!—with the Word of God!' At the present date the St. Giles's Mission trains Biblewomen and nurses, who work together, but with distinct duties. Both nurses and Biblewomen wear a distinctive uniform.

Among the earliest of Deaconess institutions, if not the very earliest, is that which goes by the name of 'Mildmay,' set up by William Pennefather, Vicar of Christ Church, Barnet, and his wife. Pennefather was closely connected with the Patriotic Fund instituted after the Crimean War, and with Florence Nightingale's work in the military hospitals. The first house, founded at Barnet in 1860, was a training home for female missionaries, an object warmly approved by Miss Nightingale. In 1864 Pennefather became Vicar of St. Jude's, Mildmay Park, Islington, and the Mission home was removed to North London; and soon after the name was changed to 'Deaconess Home,' for women desirous of labouring in the Lord's vineyard, as Phoebe did of old. The name was adopted from that of Pastor Fliedner's institution at Kaiserswerth. The principle of the Association is the doctrine of conversion and acceptance of Christ; all needs are made the subject of prayer, in faith that prayer will be answered; to take no thought for the morrow, but not to incur debt, are two of the Deaconesses' rules. Self-surrender and self-abnegation are the rule of the House, though no vows are taken and no promises made.

Wm. Pennefather and Mildmay.

Barnet Missionary Training Home, 1860.

Deaconess Home, 1864.

Under this Association hospitals, nursing and invalid homes, training homes for nurses and servants, schools, lodging-houses, children's dinner societies, refuges, home and foreign missions, have risen around the Centre House or Deaconess Home in North London; and it has branches at Margate, Northampton, and Brighton, and in Malta, Jamaica, Palestine, India, and China. Mildmay

Extension of Mildmay.

belongs to no particular denomination, and represents a view of Christianity somewhat narrow in theology, though wide in sympathy. The Church of England has similar institutions in several dioceses. Some of these differ little from sisterhoods except in the name; in most, but not all, a lifelong dedication is declared or understood, and usually confirmed by laying on of the Bishop's hands. As a rule, though with exceptions, the deaconesses belong to the evangelical school and hold out a hand to undenominational organisations of a like character.

These details are not unimportant, because they give evidence that, whether at Assisi or in St. Giles's, in the twelfth or the twentieth century, the saintly life can flourish in the most unfavourable conditions, and the works which follow are the same, whether the light of divine and human love shines through a Roman, a Tractarian, or a Puritan lantern. The vows of poverty, chastity, and obedience, expressed or implied, permanent or temporary, are the same. The London Bible-women's and Nurses' Mission, like the convents at East Grinstead and Clewer, is a school for saints.

The experience of more than half a century among Church people, high and low, Roman Catholics and Nonconformists, teaches the same lesson: that the business of evangelising, civilising, and nursing is best carried on by women devoted to the work, whether permanently and by consecration, or without conditions, living in communities and under a rule of which obedience forms a part, wearing a distinctive dress, and more or less under clerical supervision. Social distinctions may be recognised or neglected: where the institution is in most thorough working they are least regarded. The practical side of the work depends upon its spiritual side, partly because direct religious teaching is a civilising influence; but more because spiritual enthusiasm more than any other motive makes the work possible, and supplies the strongest bond of sympathy and encouragement among the members of the community.

Since the management of Anglican sisterhoods has been greatly in the hands of spiritual directors, and the practice of auricular confession has played a great part in the conduct

of sisterhoods, the subject may come under review at this point.

The originators of the Oxford Movement did not at first advocate auricular confession; the study of the Roman sacramental system and the practical problems involved in the direction of sisterhoods brought it into prominence.

Auricular Confession.

The practice of private confession to a priest is of ancient date in the Church. It probably grew out of the custom of general confession in the presence of the congregation in church, and as sacerdotal authority grew, it became a rule of the Church, and was found to be in harmony with the natural desire to obtain priestly absolution and admission to the Holy Communion, whilst avoiding the scandal of a public confession of particular sins. Auricular confession was not laid down as of universal obligation till the time of Innocent III., who, in the fourth Lateran Council (1215), ordained that every one of the faithful of both sexes that had arrived at years of discretion, must confess to his or her own priest (*proprio sacerdoti*) at least once a year.

Not mentioned in Thirty-nine Articles.

There is no direct mention of auricular confession in the Thirty-nine Articles. The Homily *Of Repentance* expressly states 'this auricular confession hath not the warrant of God's Word,' and quotes St. Augustine against it; and whilst allowing the faithful access to 'their learned curate or pastor, or to some other godly learned man,' concludes that 'it is against the true Christian liberty that any man should be bound to the numbering of his sins, as it hath been used heretofore in the time of blindness and ignorance.' The intention of the first Reformers is shown in the exhortation accompanying the notice of celebration of the Holy Communion in Edward VI.'s First Prayer Book, of 1549, which bids both those who are satisfied with a general confession and those who 'use to their further satisfying the auricular and secret confession to the priest,' not to judge one another, but keep the rule of charity; and a similar intention may be seen in the Exhortation in the Communion Service of the Prayer Book of 1662, and in the Order for the Visitation of the Sick.

Intention of the first Reformers.

The silent growth of extreme doctrine and practice in

the Church of England is nowhere more marked than in the instance of auricular confession. There was no need for the clergy who favoured this practice to proceed by the teaching of their own experience: the Roman system was ready to their hand with its ancient and universal tradition and its rules suited to all cases. Once adopted, it was valued for its practical utility, and specially put in force in sisterhoods, confirmation classes, communicants' guilds, and other organisations in which priestly direction is desired or accepted. The growth was silent, because it was not a thing to be preached in church, and publication would have hindered it by attracting official attention; for though the opinion of the clergy, and to some extent of the laity, has undergone much change, the attitude of the bishops has been consistent in this matter.

Growth of the practice of confession.

Bishop Blomfield in 1850 deprecated the use of frequent or periodical private confession as not being encouraged by the Church of England; and he thought that men should not be exhorted or even invited to adopt it, except in the specific instances for which provision is made in the offices of the Church. Twenty years later, as we shall see, a powerful section of the High Church party stated publicly that by the infallible warrant and authority of the Christian Church during the first three or four centuries, confession of sins to priests, submission to penance, and acceptance of absolution given and pronounced by them upon condition of the penitent's contrition, is 'a divine institution of universal obligation.' Extreme Ritualists assert the right of the priest to impose penance, and recommend 'free and unquestioning obedience' to spiritual direction.

Bishop Blomfield.

The question of confession came into public notice in the case of the Rev. Alfred Poole, of St. Barnabas', Wilton Place. In consequence of a complaint from some of the parishioners, the Bishop of London (Tait) expressed his dissatisfaction with Poole's practice as regarded confession, and especially 'the questioning of females on the subject of violations of the Seventh Commandment,' and the use of confession and absolution as a system; and withdrew his licence as curate of St. Barnabas' in May 1858. Poole at once appealed from his Bishop's decision to

Poole's case, 1858-1861.

Archbishop Sumner, who replied shortly, and officially confirmed the revocation of the licence (9 July 1858). After a second hearing before the Archbishop, the case came before the Judicial Committee of the Privy Council, but was dismissed (13 March 1861) on the ground that no appeal lay from the decision of the Archbishop.

Keble, Pusey, Liddon, and their followers, among whom Carter of Clewer and Butler of Wantage were conspicuous, laid much stress upon habitual confession, absolution, and sacramental penance. What Liddon held about confession in the Church of England is shortly set forth in a letter dated April 7, 1872. The Prayer Book, he says, teaches (1) that a priest has the power of pronouncing absolutions which are ratified in heaven; (2) that confession to a priest is advisable when persons cannot quiet their own consciences, and in illness if the sick man's conscience is troubled with any weighty matter. To say that it is best for the penitent to come to confession is a fair inference from these premisses. Still, it is an inference, and beyond the letter of the formularies. If, he argues, men preach the nature of sin, the reality of absolution, and the liberty of coming to confession granted by the Church of England, people will ask to come, just as they will for medicine when they are sick and in pain. The Roman system, by enforcing confession mechanically, often makes it sacrilegious.

Keble, Pusey, and other High Churchmen.

Liddon's letter, 1872.

In 1873, the High Church leaders, including Pusey, Carter, Liddon, Denison, Mackonochie, Butler, Robert Liddell, and others, put forth a declaration on confession and absolution, of which the principal points are these: That forgiveness of sins is promised through the precious blood of Jesus Christ on condition of repentance, faith, and purpose of amendment; and that also there is a special means instituted for remission of sin after baptism, through absolution by a priest. By directing, in the Order for the Visitation of the Sick, that the priest shall move the sick man 'to make a special confession of his sins if he feels his conscience troubled with any weighty matter,' the Church could not be understood to rule that her members should defer to a death-bed what they know to be good for their souls. The same argument holds good of

High Church declaration on confession, 1873.

the exhortation in the Communion Service. The command to priests to hear confessions set down in two offices of the Church cannot be construed negatively into a command not to receive confessions on any other occasions. The formularies of the Church of England do not enjoin private confession as a condition indispensable to the forgiveness of sin after baptism, or to the reception of the Holy Communion; but all persons who desire opportunity for confession are entitled to it, and the clergy are directed in certain circumstances to move persons to confession.

In the same year (9 May) a petition was presented to Convocation by 483 clergymen asking that 'in view of the widespread and increasing use of sacramental confession,' measures should be taken for the provision of 'duly qualified confessors in accordance with the provisions of Canon Law.' To legalise an encroachment is always the easiest way, at the moment, out of a conflict between rule and practice. In this case the practice had in recent years gone far beyond the recognised rule. Hereupon the bishops in Convocation resolved that a Committee of the whole House should consider and report upon the teaching of the Church of England on the subject of confession (9 May 1873). Archbishop Tait said he was glad to know that all the bishops considered the sacramental view of confession as a most serious error. Nevertheless the fact that the bishops did not at once denounce the petition, but took time to consider it, caused great offence, and Lord Shaftesbury, at a meeting in Exeter Hall on June 30, spoke with indignation of their lukewarmness in not disowning at once 'this most preposterous, this most hateful proposition,' and said that he firmly believed that this thing was not so distasteful to the bishops as it was to nineteen out of every twenty of the British people.

Petition to Convocation for licensing of confessors, 1873.

The bishops in Convocation, 1873.

Lord Shaftesbury's indignation.

It is possible that Lord Shaftesbury's immoderate language (for which he was blamed in moderate language by Archbishop Tait in Parliament) may have strengthened the hands of the bishops, against whom it was directed. Their answer to the petition was in the form of a declaration, published on July 23. Appealing to the authority of Holy

Declaration by the bishops.

Scripture, as interpreted by the primitive Church and by the Fathers of the English Reformation, the bishops declare that the Church of England in Article XXV. disowns the Sacrament of Penance, and 'knows no such words as Sacramental Confession'; that confession to Almighty God with purpose of amendment and faith is sufficient for forgiveness; but that the Church of England has made special provision for troubled consciences by allowing confession to a priest when desired by the penitent, and in particular in the Order for the Visitation of the Sick, where special confession is recommended, and the priest is directed to give absolution, but only when the sick man desires it. More than this may not be required by the ministers of the Church, and they are not at liberty to 'enjoin or even encourage any practice of habitual confession to a priest.' This is the final pronouncement of the Episcopate, confirmed by the Lambeth Conference of 1878.

The Priest in Absolution, 1877.

On June 14, 1877, the Earl of Redesdale called the attention of the House of Lords to a certain book entitled *The Priest in Absolution*, privately printed by the Society of the Holy Cross, of which Mackonochie, Littledale, Stanton, and Lowder were members. One of the statements in the book is 'that there is no resource for the spiritually sick but private confession and absolution.' In other parts a system of examination is enjoined which is liable to great abuse and dangerous both to the penitent and the confessor. Archbishop Tait, in reply, said that though Lord Redesdale had spared them many details, he had read enough to show that no modest person could read the book without regret, and that it was a disgrace to the community that such a book should be circulated under the authority of clergymen of the Established Church. Lord Salisbury, in the same debate, said: 'Among the English people generally, among thinking men, there is no difference of opinion upon this question of habitual confession. . . . The English people are specially jealous of putting unrestricted power into the hands of a single man. More than any other system, the practice of habitual confession does put unrestricted and irresponsible power into the hands of a single man.'

It has been stated that the increased use of confession in the Church of England has come from the laity rather than from the clergy. This may be taken to mean that there exist, especially in populous places, congregations in which the laity outrun or urge on the clergy; but it can hardly be doubted that the impulse in most cases has come from the clergy. The advocates of auricular confession and private absolution are to be divided into those who support it as a sacrament or sacramental institution of ancient, if not primitive, use in the Catholic Church, and those who recommend it as a voluntary practice of so much value that it is competent for the priest to advise it, and even his positive duty as a spiritual guide. As a historical question there is no doubt that the Church of England, as a matter of fact, whilst asserting the Power of the Keys, and implicitly limiting it to the episcopally ordained priesthood, and recommending, with a large consensus of divines from Cranmer to Ken, the use of auricular confession for the disburdening of the soul and the obtaining of priestly absolution, expressly discourages habitual confession and priestly direction. The controversy will continue so long as incompatible views of Church ordinances are admitted to exist side by side in the Church of England; but the declaration of the bishops in 1873 fairly represents the common practice of the Church of England, and the teaching of her history and formularies.

Different views of auricular confession.

AUTHORITIES.—Goodman, *Sisterhoods*, etc.; Selfe, *Light amid London Shadows*; Phillpotts, *Letter to Miss Sellon*; Spurrell, *Correspondence with Miss Sellon*; Ranyard, *Nurses for the Needy*; Balleine, *History of the Evangelical Party*. BIOGRAPHIES: *J. Armstrong*, *Harriet Monsell*, by Carter; *W. J. Butler*, by Butler; *J. M. Neale*, by Littledale, and in *Dict. Nat. Biog.*; *S. Wilberforce*, by R. and S. Wilberforce.

CHAPTER V

THE CHURCH AND SOCIAL PROBLEMS

QUESTIONS connected with marriage and divorce have always been debated between churchmen and statesmen.

Roman law of marriage.

The public law of Europe till the Reformation was in this as in other matters a complex growth, bearing traces of various and incongruous parentage. The independent growth of the Christian Church coloured all imperial institutions. The fundamental idea of Roman marriage was a mutual contract under the sanction of the national religion, and as consent was of the essence of the contract, it was dissoluble at the wish of either party. Christian marriage, like other Christian institutions, brought Jewish customs into contact with Roman life, and added to them practical conclusions from the words of Christ and the Apostles and their followers.

Christian marriage.

By degrees, owing to the growth of clerical power, the State, in union with the Church, ignored the ancient rule of Roman law, and declared the tie of marriage to be sacred and sacramental, and therefore indissoluble. But though the Christian Church forbade remarriage, her alliance with the secular power led her to temporise. The Eastern Church gave more or less sanction to remarriage after divorce, the Western Church invented divorce *a mensa et thoro*, which did not permit remarriage. The common law of England conformed to the custom of the Roman Church, and until the Reformation marriage was regarded as indissoluble until death. Under Edward VI. the compilers of the *Reformatio Legum Ecclesiasticarum* pro-

Divorce *a mensa et thoro.*

Reformatio Legum Ecclesiasticarum.

posed to grant divorce *a vinculo matrimonii*, with power of remarriage to the innocent party: but these recommendations did not pass into law.

The institution of civil marriage by Peel's Act of 1836 (6 and 7 William IV. c. 85), which permitted lawful marriages to be contracted before the Registrar, in the presence of witnesses, as well as in places of worship other than the churches and chapels of the Established Church, is one of the early landmarks in the history of the secularisation of the State.[1] Civil marriage is antagonistic to the whole ecclesiastical theory of matrimony. By canon law marriage is indissoluble; and this held good in English law even after the Reformation, till the practical grievances connected with the theory, and the anomalies created by its working, brought the question under the notice of Parliament.

Civil marriage legalised, 1836.

The papal power of dispensation disappeared in England with the papal authority, and no escape existed from the rigour of the marriage law, if it were carried out to the letter. But as a practical remedy private Acts of Parliament were passed, which laid down no principle, but dissolved marriages in particular cases, after a preliminary hearing in an ecclesiastical court, and which in practice licensed remarriage. This, however, was a privilege of the rich, and gave no relief to the poor man. The social grievance was admitted, and the tendency of liberal governments was to redress such grievances.

Private Acts of Parliament.

A Royal Commission was appointed in 1850 to suggest a remedy for these anomalies, and bills were brought into Parliament in 1854 and 1856, but did not become law. Lord Palmerston's Government made a point of passing Lord Chancellor Cranworth's Divorce Bill in the session of 1857. This Act extended into another region the secularising legislation of 1836; a victory of expediency over principle, or, in other words, of experience over authority.

Lord Cranworth's Divorce Act, 1857.

The question at issue was remarriage. Was the established custom of private Acts of Parliament to be abolished, or were rich and poor, as heretofore, to be under different

[1] Civil marriage was, however, the only marriage recognised by the State between 1653 and 1660.

marriage laws? The practice of Parliament, then some two hundred years old, ruled the event, whether or not this was consistent with canon law, which was not wholly obsolete; and the Parliamentary usage had grown into a quasi-legal prescription and was governed by legal rules. The principle of authority was appealed to, but chiefly Biblical authority, by Keble, Christopher Wordsworth, and, above all, Gladstone, whose article in the *Quarterly Review* for July 1857 is a capital factor in the controversy. When Biblical or ecclesiastical texts are viewed in the light of political considerations, we must expect to find them, in Gibbon's words, 'flexible to any interpretation that the wisdom of a legislature can demand'; flexible also to preconceived religious notions, and to all the subtleties which abound in theological controversy, and of which Gladstone was a master. The line followed in the *Quarterly* article was briefly this: after showing that till recent years marriage had been treated as a lifelong engagement, according to the rule of the Church, though the rule could be evaded by Acts of Parliament, the reviewer went on to consider the Biblical authorities. His conclusion is that the clause of exception in two places of St. Matthew's Gospel, where the word πορνεία (translated 'fornication') is used, does not invalidate the general prohibition contained in other texts. He complains of the assumption that it is so invalidated, and of another assumption, that πορνεία includes adultery, and of a further extension to include desertion as a justifying cause of divorce and remarriage. He asserts that no licence for remarriage is given in the New Testament. He denies the practice among the Jews of divorce for adultery, treating the exception as a parenthesis, and is inclined to give the doubtful word a spiritual significance; which was also Keble's interpretation.

Question of remarriage.

Gladstone's *Quarterly* article, 1857.

After noticing the history of Christian marriage from the earliest times, he shows that the bill proposed to alter the conditions of every marriage contract throughout the kingdom; and concludes with an eloquent appeal for maintaining the principle of restraint in the most important of human relations. 'When we allow ourselves

Principle of restraint.

to speak lightly about vindicating rights and liberties, we forget that, beyond all things, marriage derives its essential and specific character from restraint: restraint from the choice of more than a single wife; restraint from choosing her among near relatives by blood or affinity; restraint from the carnal use of woman in any relation inferior to marriage; restraint from forming any temporary or any other than a life-long contract. . . . Our conception of the law of nature itself is in the main formed by Christian tradition, habits, and ideas; . . . as we unbind and let down our standard of Christian law, our standard of the natural law will spontaneously sink in proportion.'

The Act of 1857.

These arguments did not convince. The Government proceeded with their bill, on the assumption that the relief which had been given to the rich should be extended to all, and that free licence to both parties to remarry was part of the relief. For though it was the custom to draw private divorce bills with a clause forbidding the marriage of the guilty parties, it was also the custom to cancel this clause during the passage of the bill through Parliament. The promoters of the bill drew no distinction between the release of an innocent man or woman from the unchaste wife or husband, and the temptation to vice which was offered by the power of remarriage. The bill was introduced in the House of Lords in May 1857 by Lord Cranworth, who founded it upon the report of the Commission of 1850. Its object was to simplify proceedings in divorce cases by appointing a single court and a single process, instead of the existing procedure, which required a previous judgment in the ecclesiastical court. A divorce was to be obtainable by the husband for adultery, by the wife for incestuous adultery, bigamy, or adultery coupled with cruelty or with unjustifiable desertion. There was no clause prohibiting the marriage of the guilty persons. Such a provision, Lord Cranworth believed, would do more harm than good. In cases of divorce *a mensa et thoro* jurisdiction would be transferred from the ecclesiastical court; such divorces would henceforward be termed judicial separations, and could be obtained by either party for adultery, cruelty, or desertion

Question of remarriage.

without cause for two years and a half, and could be annulled on the request of both parties.

The clause which permitted the marriage of the guilty parties was opposed by Archbishop Sumner, who, however, voted for the second reading of the bill. Lord Lyndhurst pleaded for equal justice to women and men, and desired that adultery or desertion on the part of the husband should be a sufficient reason for granting a divorce. Bishop Wilberforce carried an amendment, ultimately rejected, to forbid the marriage of the guilty parties; he said that it is contrary to the Word of God for a divorced husband or wife to marry again *vivo conjuge*; he feared a general lowering of the standard of family life, and thought that the practice of inferior and local courts might facilitate collusive adultery. If remarriage were allowed, it should be a civil act, and the clergy should not be called upon to celebrate it. Similar arguments were adduced in the Commons, and many petitions against the bill were presented, one of which was signed by six thousand clergymen. The bill was, however, passed by a large majority, in spite of Mr. Gladstone's vehement and determined opposition to it in all its stages.

Archbishop Sumner.

Bishop Wilberforce's amendment.

From a review of the whole course of the controversy it would appear that the opinion of many lawyers and statesmen was that it was desirable to extend the opportunity of divorce to all classes, since the practice of private Acts of Parliament could not be interfered with; that the practical abrogation of canon law at the Reformation had altered the bases of law, and that the common view of marriage and divorce had changed accordingly. The tone of the majority was decidedly anti-clerical, even to the extent of ignoring the grievances of clergymen compelled to give facilities for the remarriage of guilty parties, a thing condemned by all sections of the Christian Church. The withholding of the Christian blessing is no just grievance to those who have transgressed the Christian law.

No opportunity was given to Convocation of expressing an opinion on the Divorce Bill during its progress through Parliament, and in 1858, after the Act had been passed, this was remarked upon; it was represented by Bishop Wilberforce and

other ecclesiastics that the law of the Church and the law of the land were not the same, and that in ecclesiastical matters, such as marriage and divorce, the spiritualty had a right to be consulted; and an address to the bishops was voted, praying them to use their endeavours in Parliament to procure the amendment of the Act. Resolutions to this effect were passed in the Lower House of the Canterbury Convocation in several successive years, but led to no movement on the part of the bishops, some of whom indeed, and those not the least important, had voted for the bill.

Convocation not consulted.

The case was summed up by the bishops assembled at the third Lambeth Conference in 1888, in the following resolutions: '(*a*) That inasmuch as our Lord's words expressly forbid divorce except in case of fornication or adultery, the Christian Church cannot recognise divorce in any other than the excepted case, or give any sanction to the marriage of any person who has been divorced contrary to this law, during the life of the other party. (*b*) That under no circumstances ought the guilty party, in the case of a divorce for fornication or adultery, to be regarded during the lifetime of the innocent party as a fit recipient of the blessing of the Church on marriage. (*c*) That recognising the fact that there always has been a difference of opinion in the Church on the question whether our Lord meant to forbid marriage to the innocent party in a divorce for adultery, the Conference recommends that the clergy should not be instructed to refuse the sacraments or other privileges of the Church to those who, under civil sanction, are thus married.'

Resolutions of the Lambeth Conference, 1888.

The movement in favour of permitting the marriage of a man with his deceased wife's sister originated from a wish to legalise connexions which had been entered into in all grades of society, and which were looked upon by those who contracted them as lawful marriages, and were by many, though not by all, accepted as lawful; as well as from a natural regard for the welfare of motherless children. The religious question was much debated, and does not admit of a clear and simple answer; social as well as religious objections to these unions existed; the disturbance

Marriage with deceased wife's sister.

of relations between allied families: the possible alienation of sisters and other kinsfolk; the extension of marriage to other degrees of affinity; but it would appear that the balance of public opinion in England was generally for relaxation of restraint, as was shown by successive votes in Parliament, where bills were brought in year by year and passed by the Commons, but usually, though not invariably, thrown out by the Lords.

The Act of 1835 provided that marriages within the prohibited degrees of consanguinity or affinity hitherto contracted should hold good as if they had been lawfully solemnised, but that all future marriages of the kind should be null and void. Twelve years later, in 1847, a Royal Commission, the Chairman of which was Bishop Lonsdale of Lichfield, was appointed to inquire into the question of marriages within the prohibited degrees of affinity. The Commissioners found on inquiry a great division of opinion. The High Church party, by the voices of Pusey and Beresford Hope, entirely repudiated such marriages; many Evangelicals, such as Close, Champneys, and Montagu Villiers, agreed with Protestant Dissenters of all opinions in wishing the legal disability removed. The Roman Church, for which Wiseman spoke, does not put marriages of this kind under absolute prohibition, but reserves the power of dispensation; the Jews desired that the law should be altered into conformity with their interpretation of the Levitical ordinances; the laity at large were neutral, probably because the instances were not numerous enough to create a public opinion. The Commission reported that the law of 1835 had failed to put a check upon these marriages, that in their opinion any restrictive measures would probably fail, and that relaxation would not largely increase their number. The objections noticed were of two kinds, theological and practical. As regards the first, there was much debate of the disputed texts, Lev. xviii. 16, 18 and xx. 21; St. Matt. xxii. 24; and 1 Cor. v. 1, which were interpreted in various senses, a predominant view being that though this particular union is not expressly forbidden in Scripture, it is forbidden by implication. The law of consanguinity was interpreted as being extended by the rule of Scripture to affinity.

Royal Commission of 1847.

Theological arguments.

The practical considerations were these. Unions with a deceased wife's sister were regarded very differently according to station and circumstances. Few took place in the higher ranks of society, and not very many among the poor; the greater number were among the professional classes, and it appeared that though there was some feeling against them, when once contracted they were usually condoned or accepted by relations and neighbours. When a man and his sister-in-law lived together for the sake of the children, such alliances were occasionally formed, and when entered into often proved happy. No one looked at the question as it would now be considered, from the point of view of the comparative history of blood-relationship and affinity. The plain words of Scripture ruled the issue, however interpreted. Practical considerations.

The subject of the marriage laws in general, after having been debated in Parliament and outside for many years, was summarised in a report made by a Committee of the Lower House of Convocation on April 6, 1883, especially with reference to the Divorce and Marriage Acts from 1857, reports from Royal and Select Commissions, and from Convocations, and other documents relevant to the question. The question, say the Committee, arose from the abeyance of discipline in the Church; unions with a deceased wife's sister were frequently accepted as legal from consideration of lapse of time, there being no power of enforcing an ecclesiastical censure. It was not a poor man's question, for few such unions were contracted among the poor. They deprecated any alteration to the law of marriage. Lower House of Convocation, 1883.

A Committee of the bishops reported on the same subject in July, concurring with the Lower House in desiring to maintain in its integrity the Table of Prohibited Degrees set forth in 1563. They remark (1) 'that the proposal to legalise marriage with a deceased wife's sister is contrary to the just inference drawn from the prohibitions specified in Holy Scripture on the subject of unlawful marriages; that in the Book of Leviticus a marriage between a widow and her deceased husband's kindred, within the third degree, is expressly forbidden; that our Lord and Bishops' report, 1883.

His apostle St. Paul having declared that in regard to holy matrimony husband and wife are on an equality, a widower is by necessary inference forbidden to marry his deceased wife's kindred within the same limits; and whatever rule or concession to the contrary may have been made in the Mosaic legislation is by our Lord's authority finally abolished. The primal declaration in Holy Scripture, thus repeated by our Blessed Lord, only receives in the Table of Prohibited Degrees its fuller and more detailed exposition. (2) That the Church so understood and interpreted the declaration of Holy Scripture from the beginning till fourteen centuries after Christ, when dispensations were first granted; and that the reformed churches were of the same mind. (3) That if this rule be set aside, no other rule or principle can be found to take its place. All relationships by affinity stand or fall together; and wherever marriage with a deceased wife's sister has been permitted, the permission has led to further relaxations. (4) That the proposed relaxation of the marriage laws would tend to impair the reverence felt for Christian marriage, to extend social corruption and increase divorce. (5) That it is the duty of the Church to guard and maintain the purity of domestic life, and to teach that the members of a Christian family are bound together by common interests and mutual affections growing out of the marriage tie between the parents. (6) That if the law of the land should be changed, grave scandal and perplexity would inevitably ensue; the clergy being bound to obey the law as contained in the Bible, and yet expected to marry persons within the forbidden degrees, and when married to admit them to Holy Communion.' This may be taken as the last official pronouncement of the Church on the subject.

The Temperance movement.

The evils of intemperance had been a commonplace for centuries; but so long as drunkenness was usual in all classes, and was looked upon as a thing to be laughed at rather than condemned, poets and satirists might say what they would from a moral point of view, judges from their experience of crime, clergymen from the teachings of religion and their knowledge of the poor, without

much effect. To change the habits of a nation is a slow process, and it demands a faith in principles which will not be daunted by delay. The English nation had always a taste for drink; and drunkenness was almost universal among the upper classes in the eighteenth century. The curse of gin, the ruin of the poor, was introduced in the early Hanoverian period; according to Lecky, the most momentous fact in the history of the eighteenth century. The average of spirits distilled in Britain, which towards the end of the seventeenth century was estimated at about half a million gallons, had risen in 1735 to nearly five and a half million gallons. Sir Joseph Jekyll's Act in 1736 imposed a duty of 20s. a gallon upon all spirituous liquors; but it caused riots, not reform, and encouraged illegal traffic. In 1751 the Pelham Ministry carried a Gin Act, which checked the increase of drunkenness for a time, till an illicit gin-trade sprang up. The vice of drunkenness was by 1830 beginning to decline among the rich, but had increased among the working classes.

The temperance movement had its origin in America, towards the end of the eighteenth century. One of the principal movers was Dr. Justin Edwards, of Boston; and much was done for the cause by the preaching of Dr. Lyman Beecher in 1826. Several temperance societies were established in Scotland and Ireland in 1829, and in February 1830 the 'Bradford Society for Promoting Temperance,' the first society to which the name 'Teetotal' (*i.e.* 'total') was given, was founded by Henry Forbes. This was followed by the establishment of other societies in the north of England, a work in which Joseph Livesey of Preston was prominent.

Its origin.

An unexpected obstacle arose from the legislation of 1830. The Beer Act of that year (11 Geo. IV. and 1 Wm. IV. c. 64) was introduced by Henry Goulburn, Chancellor of the Exchequer in the Duke of Wellington's Government, primarily for financial reasons, and only incidentally with the intention of discouraging the sale of spirits. It was, however, believed that spirit-drinking was the most pernicious form of intoxication, and some expected that to divert drinkers from spirits to malt liquor would lead them to temperance; it was also commonly thought that beer con-

Goulburn's Beer Act, 1830.

tained elements of solid nourishment. The Act took off taxes on beer, porter, and cider, and allowed all persons to sell beer who paid two guineas for a licence. The only power of control or regulation given by the Act was that of closing or fining in case of riot or disturbance. How little the moral aspect of the subject was considered may be seen from the fact that Goulburn's budget speech contained hardly any allusion to intemperance. Opponents of Goulburn's bill prophesied that it would convert England into 'one huge tippling-house'; its supporters did not foresee how greatly the desire for drink would increase with the facilities for obtaining it. The habit of drunkenness was not to be changed by multiplying the opportunities for moderation. 'The evil spread like a blight all over the country.' In towns less gin may have been drunk; but the vice of the country at large was beer-drinking, and this was encouraged by Goulburn's Act.

Total abstainers and moderate abstainers.

The advocates of temperance have from the first been divided into two classes: total abstainers, and those who allow the moderate use of alcoholic drink. It required courage to urge any extreme course; but it can hardly be doubted that the extreme course, if it could have been adopted, would have been the more effective. The tendency of the present day is towards the sterner creed; but at that time total abstinence was generally regarded as a foolish and unpractical expedient; the common sense of the country, so far as the country cared about temperance at all, supported the moderate drinkers who abstained from the use of spirits; and the moderate reformers were so far right that total abstinence got a hearing only after they had prepared the way for it. Another hindrance to the cause of temperance was the prejudice against 'making people moral by Act of Parliament,' or by any other mechanical organisation, or in any manner interfering with liberty of self-destruction; and even so lately as 1872 a bishop of high authority stated in Parliament that he thought it better for Englishmen 'to be free than to be sober.' The uncompromising and exclusive line taken by Joseph Livesey and the total abstainers, who after 1830 formed associations in all parts of the country, gave a strength

to the temperance movement which no half-measures could have attained.

All temperance societies appeal to the individual conscience in the form of a vow or pledge; the moral sanction has been the principal lever, though other motives, such as prudence, thrift, and associated action, have also been brought in. The earliest pledge recorded is that of the Society instituted at Skibbereen, Co. Cork, about 1820, the terms of which are identical in purport and almost in language with the form of pledge adopted by later societies, such as that drawn up at Bristol in 1835:— Acceptance of pledge.

'I do voluntarily promise that I will abstain from ale, porter, wine, ardent spirits, and all intoxicating drinks, and will not give nor offer them to others, except under medical prescription, or in a religious ordinance.' All pledges since these have been to the same effect, and no other method beyond the simple taking of a personal pledge has ever been invented or desired.

In 1831 the London Temperance Society was founded, with Bishop Blomfield as its President, and other dignitaries of the Church as Vice-Presidents; and on May 22, 1833, a great meeting was held at Exeter Hall, at which Bishops Blomfield, Sumner of Chester, Carr of Worcester, Ryder of Gloucester, and Wilson of Calcutta were present. Queen Victoria, on her accession in 1837, became the patron of the Society, which was soon one among many, for there is nothing more remarkable in the history of temperance than the rapid growth of independent societies, combining the fervour of a crusade with the good fellowship of a club. London Temperance Society, 1831.

In its early stages the work had, for the most part, been done by nonconformist or undenominational agencies. The Church of England was now to bear a hand in it. The Church, indeed, has always been willing to co-operate in the work; a work so vast that no denomination of Christians can claim to itself more than a small fraction of the total sum of result. Progress has been made from a small beginning by the unceasing labour of religious communities, by secular associations of philanthropists, by sermons, missions, lectures, by distributing a large literature of tracts, pamphlets, and

appeals, by holding meetings, by advertisement, by losing no opportunity of enlisting patrons. This labour has been voluntary and unpaid, entirely supported by faith in the goodness of the cause.

By degrees, though not at first, the rulers of the Church became interested; an alliance was made between total abstainers and moderate drinkers; the subject became worth the attention of the Press; enthusiasts brought it before the notice of Parliament and Convocation. Governments have not been altogether indifferent or idle; but their action has been cramped by the opposition of a great moneyed interest. It may not be the duty of statesmen to look after the morals of the people, but it is their duty to inform themselves on all matters which concern the public welfare, and Peel's Government was well advised in appointing (1839) a Select Committee of the House of Commons to inquire into intemperance. The report of the Committee showed a lamentable condition of drunkenness and indecency in the low parts of London, and much increase of the habit of drinking among the poor, especially women; the pecuniary loss from waste of productive labour, lowering of mental and bodily strength in the navy and army, increase of pauperism, and prevalence of crime, they estimated at nearly fifty millions a year. In 1839 a Sunday Closing Act for London was passed (2 and 3 Vict. c. 47), which greatly diminished drunkenness, reducing the number of convictions for drunkenness in one year from 12 to 8 per thousand of the population; and this Act was extended to other towns in 1840 (3 and 4 Vict. c. 61).

Growth of the movement.

Sunday Closing Acts, 1839, 1840.

One of the most powerful agencies in the temperance movement was the mission of Father Mathew of Cork, which began in fervent oratory and conversions in mass, and ended in comparative disappointment. But the impulse had been given, and continues to this day. Theobald Mathew (1790-1856) was one of the twelve children of a country gentleman of large estate at Thomastown, near Cashel. As a young boy he accepted the vocation to the priesthood, and being impressed by the holy poverty of some Franciscan friars whom he happened to meet, he

Father Mathew.

made his profession as a Capuchin, among the 'humblest and most mortified' of the followers of St. Francis, and was soon distinguished as a preacher and a spiritual director. On his removal to Cork he heard of the temperance work in that town carried on by Nicholas Dunscombe, a Protestant clergyman, Richard Dowden, a Unitarian, and a Quaker, William Martin. They preached total abstinence, and were regarded as fanatics. 'O, Theobald Mathew, if *thou* would but take the cause in hand,' said Martin; and not long after, on April 10, 1838, Mathew took the chair at a temperance meeting, and signed the pledge, saying as he did so, 'Here goes, in the name of God'! By January 1, 1839, the number of names on the roll of abstainers is said to have been 200,000. The numbers are incredible; but they must have been vast to make such exaggeration possible. In three years the consumption of spirits in Ireland was reduced by one half, and drunkenness for a time disappeared.

The accounts of Father Mathew's missions to Limerick, Belfast, and Dublin, and his visit to England in 1843, tell the same story of a triumphal progress from town to town. This immense success was followed by a reaction; and in 1850 the British and Foreign Temperance Society came to an end. But it soon revived. The heart of the temperance movement was in the middle classes, and especially in the religious organisations of the middle classes. There was talk of local control of the drink trade in 1855. Charles Buxton took up the question in that year, and in 1862 Sir Wilfrid Lawson began a course of persistent agitation for 'permissive prohibition' both in Parliament and in the country, and was never disheartened by the opposition of Parliament and the neglect of Governments session after session. Temperance legislation became talked of everywhere, at meetings of the British Association and Social Science Congresses, in Church Congresses and Convocations; but a strong central organisation and a strong leader were wanting to bring it up to the level of a national demand. It became part of the philanthropic creed, and, to a certain extent, of the Liberal creed also; but it was not so heartily taken up by the Liberal party as to find a place among the leading

Varying fortunes of temperance reform.

political issues. Both in the matter of cheap wine, and again in that of grocers' licences, Gladstone showed more of the financier than the moralist. On one occasion, at the General Election of 1880, the brewing interest was discomfited; but the Government had other work in hand, and the House of Commons went no further than to pass Sir Wilfrid Lawson's Local Option resolution (18 June 1880). So favourable an opportunity has not again occurred; the moments are rare in which 'heroic legislation' can be undertaken. The brewers' and the licensed victuallers' interest is strong, and the legislation of 1872 and later years was disappointing to reformers.

Other causes, apart from religion and the direct propaganda of temperance, aided the cause,—the growth of education, the higher level of thrift among the working classes and the comfort which accompanied it, the institution of clubs and trades unions among labourers and artisans, and the general humanising of city life. It is not entirely due to temperance that in sixty years the number of criminal convictions has been halved, while the population has been doubled; but temperance has been one of the principal elements of the national advance in decency.

Some hundreds of temperance societies appear in the index of Dr. Dawson Burns's volumes on *Temperance History*. The records of most of them have only a local or ephemeral interest, but some survived. The New British and Foreign Temperance Society was formed in 1838, the National Temperance Society in 1843, the United Kingdom Alliance in 1853, and the National Temperance League in 1856. The Band of Hope movement, enlisting the young generation in the cause, was begun in 1847 by Mrs. Carlile and Jabez Tunnicliff. Among other societies may be mentioned the (unsectarian) Blue Ribbon Army, the Good Templars, the Roman Catholic League of the Cross, greatly helped by Cardinal Manning, and blessed by Pope Pius IX.; the Salvation Army, which early gave temperance a chief place in its moral teaching; and the army and navy associations, headed by Miss Robinson and Miss Weston.

Temperance societies.

The Church of England did not immediately follow the

line indicated by Blomfield in 1831, in advising his hearers to trust much to Church initiative and organisation. No church society was formed; but individual clergymen preached and practised temperance in their own parishes, and often through the agency of parish associations. One of the pioneers of temperance was Mrs. Wightman, wife of the vicar of St. Alkmund's, Shrewsbury, who in 1858 set up a parochial association, and succeeded in reclaiming many drunkards. Her book, *Haste to the Rescue*, was largely circulated among the clergy, and in 1862 the Church of England Total Abstinence Society was formed, afterwards styled 'Church Temperance Reformation Society.' Among the promoters of this Society were some evangelical leaders, and notably Francis Close of Cheltenham, afterwards Dean of Carlisle, who was elected President.

The Church and temperance.

A Committee of Convocation, appointed, with Archdeacon Sandford as Chairman, to consider the subject of intemperance, reported in February 1869, to the effect that while the evil of social intemperance had of late years greatly diminished in the upper and middle classes of society, no proportionate improvement had taken place amongst the labouring classes; and that the vice of intemperance was spreading to an alarming extent among women and the young. This Committee traced the origin of the evil to the Beer Licences Act of 1830, and put it down as an unquestionable fact that intemperance increased in proportion to the facilities afforded. Gin-palaces, beer-shops, singing and dancing saloons were unknown in 1830; since then they had been multiplied with terrible rapidity and appalling results. Competition amongst highly-rented public-houses led to a competition of attractions to customers; the agency of prostitution was largely employed in this service, and caused the ruin of thousands. Other inducements to drinking were the habit of holding club meetings or transacting business at public-houses, the payment of wages in beer or cider, especially at harvest time, the temptation offered by fairs, markets, wakes, tithe dinners, and the like, and social or neighbourly treating or drinking. The Committee complained that the police were not strict enough in bringing offenders to conviction; and that the

Committee of Convocation, 1869.

magistrates did not consistently support the police when they tried to do their duty.

That intemperance, says the report, is the main and prolific source of criminality, no one who is acquainted, however slightly, with our criminal annals and statistics, will dispute. It is acknowledged by judges, grand juries, magistrates, and prison authorities. The report draws attention to the incidental injury to trade, and the direct expenditure on drink, amounting to a hundred millions annually; the sacrifice of human life from violence due to intoxication; the general demoralisation of the people; and the incidental injury done to commerce, civilisation, and religion. The recommendations of the Committee were to put a stop to regular drinking at gatherings of all kinds; to supply wholesome amusement and occupation for working people; to provide good tea-rooms and coffee-rooms, better dwellings, and, above all, education in its best and widest sense, based on religious teaching, and including special education in the laws of health and the duties of home life. They also recommend the institution everywhere of Bands of Hope and other associations of a like character. In legislation, they urge the repeal of the Beer Act of 1830, the inspection of beer-houses, Sunday closing and earlier closing on week-days, reduction of the number of public-houses, a uniform licensing system, rigid enforcement of penalties, repeal of all duties on tea, coffee, chocolate, and sugar; and the erection of some popular power to restrict the issue or renewal of local licenses.

Intemperance and crime.

Recommendations of the Committee.

Temperance had now become a public question. In 1872 Henry John Ellison, Vicar of Windsor, proposed to the Council of the Church Temperance Reformation Society to enlarge its basis and include non-abstainers as well as total abstainers. He carried his point; the Society was reorganised on the basis of 'union and co-operation on perfectly equal terms between those who use and those who abstain from intoxicating drinks,' and was recognised by Convocation as the executive of the Church in the cause of temperance. The first meeting of the Church of England Temperance Society was held in the Library of Lambeth Palace on

Church of England Temperance Society (C.E.T.S.), 1873.

February 18, 1873, at which Bishops Browne and Selwyn, Dean Stanley, Archdeacon Sandford and others spoke. On this occasion Archbishop Tait disclaimed the idea of there being anything sectarian in the idea of a Church of England Temperance Society. It was in no spirit of separating themselves from others, but because of the advantages afforded by Church organisation that the Society had been formed, not as an antagonist, but as a friendly rival to other Christian societies. It is impossible to praise too highly the lifelong devotion of Canon Ellison, who, beginning with his own parochial experience, had the sagacity to perceive that the way to total abstinence, as a matter of practical policy, lay through a comprehensive scheme.

Thus constituted, the C.E.T.S. has gone on and prospered. It now numbers more than half a million members, and its annual income is more than £40,000. The means which the Society recommends are the distinct recognition that drunkenness is a national sin, and that therefore all efforts to remove it should be made in dependence on the one Saviour from sin; systematic teaching and co-operation; legislation, with the object of diminishing the number of drinking-houses, and enforcing Sunday closing and restriction of hours on week-days; separation of places of entertainment from drinking-houses; and giving rate-payers a share in controlling the sale of liquor. The Society, following the lines marked out by the Committee of Convocation, urges the dissociation of drink from all public gatherings, attention to increased home comfort, and improvement of cottages and dwelling-houses, and lays emphasis upon the duty of bringing up children as total abstainers, before they have acquired a taste for drink. It has its central office in London, and organises and controls diocesan, archidiaconal, ruridecanal, and parochial associations. Rescue work in the towns has been carried forward; mothers' unions, police-court missions, prison-gate missions, missions to women are set up everywhere; missioners visit race-courses, fairs and shows, hop-gardens and fruit-fields, and other places of vagabond resort, and follow the shifting population of the roads and the canals. The Society supplies offices of inquiry, labour agencies, and homes for inebriates; and organises preventive work, educational and

Progress of C.E.T.S.

otherwise, besides issuing and distributing a large number of tracts, lectures, and hymns, and lighter literature.

It has been noted above that nonconformist associations were in the field before the Church. It should also be noted that many of the first promoters of temperance among the clergy were Evangelicals, such as Lord Shaftesbury, William Cowper Temple, Sir John Eardley Wilmot, and Sir John Kennaway, though other sections of Churchmen have given hearty support; Archbishops Tait and Temple, Bishops Ellicott, Lightfoot, Westcott, and Abraham, Deans Close and Duncombe, and Archdeacon Farrar may be named as active friends of the temperance movement; and no one worked more zealously in the cause than Cardinal Manning.

Probably, when it is more generally understood that much disease and a very large proportion of crime are connected with drunkenness, and that the direct and indirect loss to the nation is calculated at many millions per annum, statesmen will come to believe that temperance is one of the greatest of national interests. But it may yet need a Wilberforce to convince the nation of its interest and its reproach; and the work will be done in the future, as in the past, not by Acts of Parliament, but by the agency of religious organisation and untiring individual labour.

SUMMARY OF DIVORCE ACT 1857

20 and 21 Vict. c. 85

The general effect of the Act is to substitute 'judicial separation' for divorce *a mensa et thoro*. Judicial separation may be obtained by either party for adultery, cruelty, or desertion without cause for two and a half years.

§ 16. In cases of adultery, divorce *a vinculo* is granted to the husband; the wife may divorce the husband, not in the case of simple adultery, but for incestuous adultery, or adultery with cruelty or desertion, or unnatural crime.

§ 27. If the wife is not accessory to or conniving at adultery, and if there is no condonation, the marriage may be dissolved.

§ 31. The marriage being annulled, the respective parties may marry again, as if the prior marriage had been dissolved by death.

§ 55. This liberty extends to the guilty parties. No clergyman of the Church of England is bound to remarry a guilty person divorced; but he

must grant the use of his church for the purpose to any other clergyman licensed to officiate in the diocese.

AUTHORITIES.—*Report of Royal Commission on Marriage Laws*, 1847, 1850; Davidson, *Report of Lambeth Conferences*; Shadwell, *Drink, Temperance*, etc.; Mrs. Wightman, *Haste to the Rescue*; Hansard, *Debates*; *Annual Register*; *Chronicle of Convocation*. *Histories*: Paul, MacCarthy, Walpole, etc. BIOGRAPHIES: *Father Mathew*, by Maguire; *Livesey*, by Pearce; *Manning*, by Purcell.

CHAPTER VI

PROGRESS OF RITUALISM

THE Oxford Movement, from its origin in 1833, was pledged to combat, and its leaders were never slack in defence or attack. Church Unions and similar societies for Church defence had been set up in various parts of England, beginning with the Bristol Church Union of 1847. They lost effectiveness, however, by lack of co-operation, and by mere lapse of time, which impairs freshness; and it was agreed that some central organisation was wanted to bring them into closer touch with each other, and to carry on the work of consolidating the High Church party. In 1859 the Hon. Colin Lindsay, President of the Manchester Church Union, issued an appeal for common action to the Church Unions. On January 11, 1860, a meeting was held in London, at which the existing Unions were amalgamated with the Church of England Protection Society, and it was proposed that a branch association should be set up in every diocese. The title of the Church Protection Society was changed to that of the English Church Union (E.C.U.), and Mr. Lindsay was elected its president on May 2.

Organisation of the E.C.U., 1860.

The objects of the Union were declared to be 'to defend and maintain unimpaired the doctrine and discipline of the Church of England; to afford counsel, protection, and assistance to persons suffering under unjust aggression or hindrance in spiritual matters; to promote the interests of religion for the advancement in the land of God's glory and the good of His Church; and further

Objects of the Union.

to unite clergy and laity in opposing the evils of laxity, and the desire for change evidenced by attempts to alter the standard of ritual laid down in the ornaments rubric and to put down those who conform to the rubric; and to combat Erastianism, Rationalism, and Puritanism.' The first list of Vice-Presidents contained the names of Pusey, Denison, Keble, Beresford Hope, Carter, Upton Richards, and other Churchmen of advanced tractarian views. Their definition of 'the doctrine and discipline of the Church of England' would not have been generally accepted at that time; but in the half century which has nearly elapsed since then their successors have gone far beyond the original design, and have carried with them no inconsiderable part of the clergy and laity.

List of Vice-Presidents.

The work of the E.C.U. has been consistent and continuous. Under their able and courteous but uncompromising President, Lord Halifax, elected in 1868, the numbers of the Union have grown year by year till they reached (1905) the sum of 4000 clergy, including fourteen bishops and 34,000 lay communicants. The Union claims for itself to be 'in the main a society of laymen,' a 'democratic Church society,' pledged, not to ritualism, but to the defence of doctrine and discipline; not a persecuting society, nor a party society. 'The "Protestants," they say, are the real "party" in the Church.' The leaders of the Union are aware that extreme opinions and extreme language win the day over moderation; and they have never hesitated to propagate by every means the theory that the Church of England is so far from being a creature of the State, that she is anterior and exterior to the State, holding a direct commission transmitted by Christ through the Apostles to the bishops of the universal Church. They maintain that the Reformers of the sixteenth century did away with abuses, but at the same time with much catholic doctrine and ritual, which it is desirable to restore; that the ideal to aim at in such things is that of the pre-Reformation Church, not that of the Edwardian, Elizabethan, or Caroline age; that the ornaments rubric, understood as comprehending lawful usage between the beginning of the second year of Edward VI. and the publication of the First Book of Edward VI., is to be held as prescribing the minimum of

Principles of the E.C.U.

observance; that by law is meant not parliamentary law, but law of Parliament and Convocation combined, and where this is not to be had, then not the law of a Parliament which contains sectarians, Jews, and atheists, but canon law; that the doctrine of the Church can only be defined by the clergy, and primarily by the bishops; that the bishops are to be obeyed when they command lawful things, but not when the private conscience of the clergyman bids him prefer some other ruling (for to this we come at last) to that of his bishop.

Anti-Erastian policy.

From the outset the E.C.U. made war upon the Church-and-State theory, which gives the interpretation of the law of the Church to the civil authority alone. The founders of the Union upheld the sacramental system as 'the basis and sustaining power of the spiritual life.' They made much of the study of the Fathers, of liturgiology, of the relation of the English Church to the rest of Christendom, of œcumenical authority, of the election of bishops by the clergy. In sacramental doctrine they went nearly all lengths with the Romanists. They considered it their mission to undo the Reformation, both on account of its principles and from dislike of the Reformers. In the preface to the *History of the English Church Union*, by the Rev. G. Bayfield Roberts, the object of the E.C.U. and the progress made towards the accomplishment of it are set forth by Lord Halifax. The object of the Society is the reunion of the whole of Christendom. That reunion, as conceived by the E.C.U., presupposes a change in the attitude of Rome which would admit the validity of Anglican orders, some allowance of an Anglican rite, communion in both kinds for the laity, marriage for the clergy, some kind of concordat between the Holy See and the British Government; on the other hand, it would not include any relaxation of the barriers between the Church of England and the nonconformist congregations; apostolical succession, as understood by the Anglican, not the Roman Church, being one of the indispensable conditions of union.

The E.C.U. and reunion.

Credit is taken by Lord Halifax for the Union as having victoriously maintained repudiation of the authority of the Privy Council in spiritual matters, and the opposition to the Public Worship Regulation Act. The Union, says Lord

Halifax, has promoted the rights of the Colonial Episcopate, the restoration of the Church's synodical action, the revival and recognition of the Religious Life, the use of the order of divine service prescribed by the Book of Common Prayer, the restoration of the daily Eucharist, and the practice of confession. To this may be added opposition to all revision of the Prayer Book, whilst at the same time omissions and additions have entirely changed the character and appearance of Anglican Church services; opposition to much proposed legislation, such as burials bills, church parochial boards bills, church rate bills, and bills to abolish university tests, the Qualification for Office Bill, Lord Ebury's Public Worship Bill, the Endowed Schools Bill, the Conscience Clause, the Revised Code, the Education Bill of 1870. The E.C.U. protested against many of the Privy Council judgments, and supported Canon Carter, Sydney Green, and Bishop King when prosecuted; upheld the use of the Athanasian Creed as now ordered, advocated frequent and early communions, and condemned evening communions. The Union protested against the delay of the bishops in accepting 'formally and synodically' the sentence of deposition and excommunication pronounced upon Bishop Colenso; against the report of the Royal Commission on Ritual in 1868, and against the Public Worship Regulation Act; it pronounced in favour of the 'Six Points' of ritual, viz. the eastward position, vestments, altar lights, the mixed chalice, unleavened bread, and incense; it passed a vote of thanks to Mackonochie and others for refusing to surrender the accessories of the Communion Service, accepted by the Church of England in common with the whole Western Church; and it formulated in resolutions the following principles: (1) free election of bishops, (2) synodical government of dioceses, (3) reform of Convocation, (4) restoration of legislative power to Convocation, (5) appointment of canonical courts for trying ecclesiastical offences, (6) appeal to the Sovereign under proper conditions, saving the authority of the Church courts.

Lord Halifax —Review of E.C.U.

The E.C.U., which was ridiculed at first, has long ceased to be insignificant. It is an active and powerful organisation, devoted to the propagation of high tractarian doctrine; and for good and for evil—and no organisation of the kind can

be without a mixture of both—the E.C.U. is one of the most prominent influences in the life of the Church of England at this day. The motto of the Union is *thorough*; and so far as success is deserved by adapting means to ends, it has deserved to succeed. For an ecclesiastical organisation of equal vigour we must look back to the early days of the Church Missionary Society.

In opposition to the English Church Union the Church Association was instituted in November 1865. The objects of the Association were stated to be 'to uphold the doctrines, principles, and order of the United Church of England and Ireland, and to counteract the efforts now being made to pervert her teaching on essential points of the Christian faith, or assimilate her services to those of the Church of Rome, and further, to encourage concerted action for the advancement and progress of spiritual religion. It seeks to resist all innovations in the order of the service as prescribed by the joint authority of the Church and the State . . . and especially to prevent the idolatrous adoration of the elements in the Lord's Supper.'

Church Association, 1865.

'Evangelicals,' writes the Rev. G. R. Balleine, in his *History of the Evangelical Party*, 'steadily maintained that between Rome and England there was a great gulf fixed, for the English Church in the sixteenth century had swept away the superstitions which the Dark Ages had devised, whereas Rome had not only retained them, but had ever since been adding to their number; one thing only, they declared, could lawfully bridge that gulf, not imitation on the part of England, but drastic reformation on the part of Rome.'

Principles of the evangelical party.

The blame or praise of an action is to him who begins. It is seldom easy to apportion this, and certainly not in the present instance. The fighting began at Oxford in 1833, and here the Tractarians were so far the aggressors that they intentionally disturbed the inertia of an earlier generation; Keble's sermon was a challenge, and Hampden's and Arnold's pamphlets were an answer to the challenge. Froude's and Newman's methods were not peaceful, and as the movement proceeded,

Attack and defence.

retaliation followed, in the attack upon Pusey and Ward. By 1860 the ritualist movement had come to a height, and both parties prepared for undisguised warfare; and in war defence and offence are one. Evangelicals assert that the object of the Association was defensive, and that the advance of ritualism and Romish doctrine favoured by the English Church Union left them no choice. The particular incidents are disputed, but the action of the English Church Union was so uncompromising that it could not but appear aggressive and invite reprisals: and the Church Association may not absurdly claim in its turn to be an association for defence, not attack.

Much unpopularity has been sustained by the evangelical party in consequence of the course taken by the Church Association in subjecting prominent Ritualists to prosecution. It should, however, in fairness be remembered that the innovations proceeded against, which are innovations no longer, were for many years a cause of great distress to quiet Christians, and that it was the interest of all parties to arrive at a legal decision. The attempt to obtain a decision which should settle the law of ceremonial does not deserve the uncompromising blame which it sometimes receives. It was impossible to foresee that an attempt to ascertain what the law commanded, would end in the complete success of a policy of passive resistance. When this was secured by the Ritualists' combination to disregard Privy Council judgments and from the inaction of the bishops; and when prosecutions ended, not in suspension or deprivation, but in imprisonment for contempt of court, the evangelical party as a whole drew a distinction between a policy of ascertaining the law by test cases, which was approved by all, and a policy of trying to enforce the law by penalties, which was that of the Church Association. Public sympathy went over to the sufferers; and in 1883, at a meeting held at Islington, exception was taken to 'the disastrous policy of attempting to stay error by prosecution and imprisonments.' The *Record* took the same line, in contrast to the *English Churchman*, and the Church Association lost many supporters.

Policy of the Church Association.

Islington meeting, 1883.

The Church Association claims to have obtained by the

action of the ecclesiastical courts the condemnation of more than sixty ceremonies and practices illegally introduced into the services of the Church. The principal objects at which its action is now aimed are stated to be abolition of the episcopal veto on litigation, fusion of the ecclesiastical courts into the High Court of Justice, or assimilation of their procedure to that of the civil courts, substitution of deprivation for imprisonment in cases of contumacy, concession to the laity of an ecclesiastical franchise with an effective share in the administration of church affairs, reform of Convocation, the formation of a Protestant party in Parliament, and the support throughout the country of the National Protestant League. 'Our battle,' they say, 'is waged against sacramentarianism and sacerdotalism.' When both parties are in earnest, and each believes that the other is destroying the foundations of vital religion, it is impossible for harmony to be maintained. Each party must wish for the destruction of the other, or its exclusion from the Church, and neutrality in a matter which involves fundamentals is criminal, since the salvation of souls is at stake, and both parties believe that the holding of a right faith is of paramount importance.

Activity of the Church Association.

The principles of Tract 90, extended in the sense of W. G. Ward, have spread very widely, and are spreading still: this fact is greatly due to the influence of the E.C.U., and to a growing opinion that the 'Protestant' interpretation of formularies, rubrics, and laws affecting the Church is unhistorical, and ought to be opposed by all lawful means. It is, further, due to the fact that there exists no court of final appeal of paramount authority to bind the consciences of Churchmen. That a large party within the Church should refuse obedience to the bishops, whom, however nominated, they believe to have the authority of Christ, delegated through the Apostles, over the clergy and laity of their dioceses, is, to say the least of it, a surprising fact.

The question of conscience.

But the question of the obedience due by clergy to their bishops, a question to which fifty years earlier there would have been but one answer, was complicated in the latter part of the century by questions of conscience, arising out

of litigation on matters of ritual. The Acts of Parliament by which the Judicial Committee of the Privy Council became the final court of appeal attracted little notice at first. The Royal supremacy was at that time unquestioned; but as the tractarian leaven worked, the High Church clergy became bolder, and the malcontents expressed their dislike of Protestantism on two lines: that of the Catholic interpretation of formularies, which is the original position, extended by Tract 90, and that of a binding legal authority. Conscience forbade a Churchman to hesitate when he had to choose between the law of the Church and the law of the realm. But it was desirable to find a legal position; and this was found in the formula that 'omission is not prohibition.' Under this formula it was held that many ceremonies and doctrines which had been disused at the Reformation are still lawful, and if lawful, obligatory. The next step was to disable the competency of the court of final appeal, and it was represented that Parliament law is not Church law; that Parliament is not, as in Tudor times, an assembly of Churchmen, or even of Christians; that the voice of the Church in Convocation ought to be heard, that the definition of doctrine and ordering of ritual belong of right to the bishops, not to secular judges who might sit with spiritual assessors, but were not bound to follow their ruling.

Judicial Committee's decisions not disputed at first.

Ecclesiastical and legal position.

It would have been well if the High Church party as a whole had agreed with one of their most revered leaders, Thomas Carter, who, in a letter to the *Guardian* on March 18, 1874, wrote, 'it is fair to note that the Church made no protest or remonstrance against these proceedings, neither through her Convocation nor through her bishops in Parliament. . . . It ought also to be remembered that High Churchmen, in the St. Paul and St. Barnabas case, welcomed the judgment of this final Court as against the then adverse action of the Arches, and gladly profited by it. It is hardly fair now to reject the very existence of the Court because the facts happen to be reversed.'

T. T. Carter on Privy Council judgments.

It would not be fair to those who rejected Privy Council judgments to represent them as mere law-breakers. As the present Archbishop of Canterbury said in his evidence before

the Clergy Discipline Commission, 'the position taken by the Ritualists at that period was not a fantastic position or an obviously lawless position.' It was hard to define what was legal and what illegal, when the question of conscience was once raised between Church law and State law, and when inconsistent opinions were delivered by the highest legal authorities.

Ritualists' contention 'not obviously lawless.'

It is difficult to form any just or compendious judgment upon the long series of official and non-official actions and discussions composing the history of ritual during more than half a century, in which the progress of ritualistic observances and of the doctrine they are taken to symbolise has been checked neither by episcopal authority, nor by statements of the law from the highest authorities, nor by the reports of Commissions, nor by legislation, nor by litigation. Litigation began in 1854 with the case of Westerton *v.* Liddell. The well-known *obiter dictum* of the judges in that case, which pronounced vestments to be lawful, though they were not directly in question, encouraged the ritualistic clergy to proceed further, especially as they found the ruling of the Judicial Committee supported by the approved text-books of ecclesiastical law. The riots at St. George's in the East in 1859 drew public attention to ritual, but other churches had begun also; the High Church leaders united in deprecating hostility; the evangelical leaders were looking to Parliament for redress. On the one hand the innovations seemed to proceed from caprice and self-will—nay, Pusey himself thought that personal vanity was not absent, and held that fine clothes were unsuited to a time of humiliation. Such changes as these might make the clergy who introduced them both odious and ridiculous in the eyes of many of their parishioners; but on the other hand, a generation grew up which learnt to value ritualism, and supported and even urged on the clergy in carrying it further.

No effective check upon ritualism.

There can be little doubt that if the bishops had acted in concert, the development of ritual could have been checked at an early stage. Bishop Blomfield was unable to carry an Ecclesiastical Courts Bill which would have altered the relations of Church and State; but no such difficulty would have interfered with the

Want of agreement among the bishops.

passing of an Act to prohibit the use of certain ornaments and the performing of certain acts in divine service, if the bishops had combined to demand it. Public opinion was strongly opposed to ritualism; the newspapers were almost unanimous in disapproving extravagances; the educated classes and the mob were of the same opinion. But nobody thought of applying the maxim *principiis obsta*; the practices objected to were allowed to grow, and were even in some cases encouraged, till angry Protestants brought the matter into the law courts, to their own confusion; for the result of many suits in many courts has been to show that the law in such matters cannot be defined, being a tangle of antiquarian contradictions and inconsistencies, and consequently cannot be enforced; uniformity has ceased to exist, the clergy do as they like, and the bishops can only lament over the decline of their own authority, brought about in some measure by their own want of counsel and more than Gamaliel-like caution. Jealousy of the civil power, distrust of Parliament as not being a body of Churchmen, and want of agreement among themselves, prevented the bishops from taking combined action in Parliament and checking the excesses of ritualism before it had got out of hand. The Westerton case showed that the existing law was not strong enough to deal with it in 1854; more than ten years later the bishops were still delaying, and put off Lord Shaftesbury with the promise of a Royal Commission. Bishop Tait made the mistake of despising a movement with which he had no sympathy, and the strength of which he did not rightly estimate, and spoke contemptuously and without his usual sagacity in Convocation (February 1866) of 'a Christian community agitated about the shape of tunicles or the number of candles to be lighted in the day . . . matters which worldly men regard as contemptible.'

Uncertainty of legal decisions.

It might have been found possible at this stage to revise the rubrics and other formularies of the Church so as to restrain excess; and Convocation was well fitted to undertake this work. But a feeling of veneration and affection for the Prayer Book has always been part of the High Church tradition, and the clergy in Convoca-

Revision of the Prayer Book.

tion have never been disposed to favour revision. At the same time there was a general feeling that more elasticity in the Church services was desirable, and more variety. In February 1859, forms of special services for use on days of thanksgiving or humiliation, in harvest, in times of common sickness, at the consecration and reopening of churches, and on other occasions, were drawn up by a Committee for the approval of the Crown; and services of this nature have passed into common use, without the sanction either of Crown or Parliament. The Act of Uniformity Amendment Act, 1872 (35 and 36 Vict. c. 35), provided some relief, by allowing the clergy more freedom of adapting the Church services to the wants of their congregations. Times change, and novel services supply a want which a former age did not feel. Those who pressed the use of the occasional services did not draw the conclusion that if the Prayer Book would be the better for additions in harmony with the spirit of the times, it might also be the better for omissions and abbreviations in matters not of vital importance.

Draft forms of occasional services, 1859.

Need for occasional services.

The chief obstacle to revision was that no clear agreement could be come to as to what were fundamentals. A church may be looked upon as a community bound to certain beliefs, which expels or refuses to admit all who do not agree to her articles of faith; or as a community for brotherly intercourse and common worship within certain limits, with formularies so drawn, or so understood, as to give wide liberty of difference. The former is the ancient catholic position; the latter, that of modern practice. The ground held in common by all parties in the Church of England was narrower in the middle than at the beginning of the last century; the High Church party was more set against evangelical doctrine, the Evangelicals were more jealous of Roman leanings, and both parties more hostile to the latitudinarian spirit which was working against both; and thus the revision of the Prayer Book, which might have been carried out harmoniously in the reign of George III., had any one desired it, became now the battle-ground of contending parties. The hour of a reform cannot be fixed beforehand; it depends on the circumstances of the moment. Revision of

Difficulties hindering revision.

the Prayer Book was likely to come sooner or later; but besides the natural tendency to conservatism of such a body as Convocation, other causes were present at this time to delay it. The question of ritual, connected as it is with sacramental doctrine, was in its beginning in 1859; such questions as that of the validity of ecclesiastical courts, and the duty of the clergy as regards obeying them and submitting their private judgment to the bishops; the new critical learning which threatened to upset all orthodoxy, and yet could not be ignored; the revival of Convocation itself; all these were reasons justifying the hesitation of the Fathers of the Church in presence of the question of Prayer Book revision.

On the other side, it was proposed to revise the Prayer Book in a Protestant sense. On May 8, 1860, in the House of Lords, Lord Ebury moved to address the Queen for a Royal Commission to revise the Book of Common Prayer and the Canons of the Church. The report of this Commission would, he said, no doubt be submitted to Convocation and then to Parliament. His words are an evidence of the growth of Convocation towards popular recognition, for Lord Ebury was the last man to flatter the clergy. He reminded the House of an attempt made by himself in 1858 to deal with the services of the Church, and how the bishops in Convocation had shelved the question, on the plea that 'the time was inopportune,' the ancient and well-known argument for doing nothing. He drew a contrast between uniformity and unity, quoted Julius Hare in favour of 'Catholic comprehension,' and wished, by abolishing obsolete canons and terms of comprehension settled in 1662, by shortening services and remodelling rubrics, to settle the Church on a broader basis so as to include four millions of Dissenters. This was a sanguine view; the bishops did not mean to include Dissenters on their own terms; and they showed the natural resentment of specialists attacked by an amateur. Lord Ebury's speech, which was very long, was heard with impatience. Archbishop Longley met the proposal with an absolute *nolumus*; Lord Lyttelton said a word for the ancient rights of Convocation, and advocated its reform; Bishop Tait, using a more official style than usual, denied the

Lord Ebury, 1860.

existence of a practical grievance, and expressed a fear that changes might alienate Churchmen and not conciliate Nonconformists; Bishop Wilberforce thundered against rash and unadvised action, and Lord Granville, on the part of the Government, would do nothing. The motion therefore was negatived without a division.

Lord Shaftesbury's attempts to put down ritualism.

Vigorous protests were made against innovation. As early as 1860, and session after session from 1865 to 1872, Lord Shaftesbury brought in bills dealing with the urgent question of ritualism; urgent, because every year's delay increased the number of ceremonial changes introduced, and of churches in which they were introduced, and also because impunity gives boldness, and the claim of legality was freely advanced. Shaftesbury's point of view was that the system of church courts was clumsy and obsolete, that the laity were the right judges of what was desirable, and that the difficulty could be met by a Protestant Parliament better than by a Convocation suspected of Romanising tendencies. He would not be ignored; and so, to use Bishop Wilberforce's expression, he was to be 'hounded off' from his scheme for making the 58th Canon the rule of the Church as to ornaments of the church and vesture of the clergy. He was told that Archbishop Longley was preparing a bill; but Wilberforce himself in the meantime was urging the Archbishop, not without success, to give up the idea of legislating without Convocation.

Bishop Wilberforce and ritual.

Wilberforce's action in Parliament, in Convocation, and generally in the country counts for much in the history of the development of ritual. His personal taste was for ritual, though not in an extreme form: he believed that ritual helped right sacramental doctrine and stimulated devotion; he thought there was a natural development both of sentiment and practice in such things which ought not to be checked; and he had no wish to see rigid uniformity of usage established. 'Where the movement has been the deepest,' he said in his Charge of 1866, 'these ritualistic extravagances have the least appeared. There is, I believe, in the English mind a great move towards a higher ritual . . . even the Dissenters and the Scotch puritan

Establishment are affected by it. I rejoice in the ground we have gained. I believe we should be better off if our people desired yet further progress.' He applied all the energies of an astute and powerful mind and all the arts of a politician to keep ritual reform out of the hands of Parliament, and was successful in doing so.

By 1866 the ritual controversy had become so threatening to the peace of the Church that Convocation was compelled to take it up. Thirteen of the ablest counsel were asked for an opinion on disputed points, but gave discordant answers on all but that of the use of incense, which they unanimously declared illegal. The bishops met by agreement at Lambeth in February 1866, but there was no unanimity. Wilberforce spoke for large latitude, on the principle of allowing natural growth. Tait thought that the knot of the difficulty could be solved by the controlling power of the bishops. He thought that Parliament would grant power to the bishops, if asked to do so. The bishops decided that nothing should be done.

Lack of unanimity, 1866.

In his Charge that year Bishop Wilberforce repeated his conviction that legislation at the present moment would be premature and therefore dangerous. To this it might have been answered that the uncertainty of the law respecting ritual was an evil in itself, and that such legislation as might be adopted on the motion of the bishops would only make the law clear and give the bishops power to enforce it. The 'frozen uniformity' which the Bishop feared existed during the whole Reformation period; it was re-established at the Restoration, and the reasons for uniformity are set forth in the Prayer Book preface 'on the Ceremonies of the Church.' Uniformity is, in fact, the natural condition of church ritual, and puts restraint upon individual caprice. Moreover, a strict uniformity, that exacted by Rome, was the aim of the most advanced Ritualists; their aim was not development, but reaction; they wished to reimpose on the Church of England the 'manifold hardness' of Roman ritual from which she was delivered at the Reformation, not the gradual growth of a national worship 'in a moderate and sober development of ceremonial.'

Wilberforce's Charge, 1866.

Wilberforce, a sentimentalist as well as a man of action,

objected to the legislation favoured by Tait, the 'definition of everything lawful and unlawful,' as being 'a legal severance for ever from Western Christendom's use'; language which would have been unmeaning to Laud or Cosin, to whom 'Western Christendom' would have meant in the first instance the Reformed Churches of France, Holland, and Germany. It is more easy to understand the Bishop's dislike of the Erastian colour given to the proposed legislation by 'the cramped, puritanical, persecuting mind' of its chief promoter, Lord Shaftesbury.

On union with Western Christendom.

In February 1866, Dean Goodwin of Ely made an interesting speech in Convocation on the subject of rubrics and other documents having the force of law. In his view, the reason of the Edwardian rubric remaining unaltered in 1604 was the royal conceit of James I., who, when the Puritans cavilled at the surplice, refused to inquire what would be the effect of the Edwardian rubric if construed in its literal sense. In 1604 no one thought of restoring the eucharistic vestments. The rubric was dormant, and remained so for two hundred and fifty years. Dean Stanley asked what would be the consequence if the puritan party in the Church insisted on the literal observance of all rubrics; *e.g.* the rubric which directs the position of the Table at Communion time. The clergy should obey their bishops in such things as surplices and copes, as a colonel would be obeyed about the cut of a regimental coat. What was desirable was practical unity, not uniformity. As for such *tolerabiles ineptiae*, in Calvin's phrase, as vestments, 'there is no reason for the fight either for them or against them'; though three hundred years' abeyance should be enough to make them illegal.

Harvey Goodwin.

Stanley.

Bishop Tait of London in the Upper House deprecated legislation, and would leave all to the bishop, subject to an appeal to the archbishop. But if so, we may ask, might not the uses of a High Church diocese and a Low Church diocese come to be as different as the uses of Hereford and Bangor from that of Sarum, and would not the Archbishop be forced by appeals to establish such a compromise for his own reign as Convocation and Parliament could more fitly enact *in perpetuum*? What varieties might

Bishop Tait.

not be introduced by a bishop who should see in the progress of ritualism no Romeward movement, but a natural development of ceremonial, or a reversion to more primitive usage than that of Rome, or a desire to promote the unity of Christendom; or by a bishop whose ideal of public worship was found at Islington?

A Committee of the Lower House was appointed to deal with the subject, which reported (2 June 1866):—

(1) That the use in parish churches of the surplice is a sufficient compliance with the directions of the Church. (2) That neither vestments, nor altar lights, nor incense should be introduced into any parish church without reference to the bishop. (3) Disapproval is expressed of the practice of censing persons and things, elevation of the elements, the presence of non-communicants, excepting in special cases, during the celebration of the Holy Communion, and the use of wafer-bread. The House adopted this report which, it may be observed, made no clear statement as to the legality of altar lights, vestments, and the unceremonial use of incense, only desiring that they should not be introduced without episcopal sanction.

Convocation report on ritualism, 1866.

The bishops rightly pointed out that more than this was required. They demanded that in all cases of alteration the sanction of the bishop of the diocese should be obtained; and the Lower House after some debate resolved, on February 15, 1867: 'That this House . . . do concur in the judgment of the Upper House, that no alteration from the long-sanctioned and usual ritual ought to be made in our churches until the sanction of the bishop of the diocese has been obtained thereto.' But this was little more than a recommendation, and assumed an obedient clergy; and it was too favourable to the Ritualists to be approved by the Protestant section of the Church.

Resolution of Convocation, 1867.

There is a want both of clearness and of authority about such utterances. The situation was difficult: the Church Association crying out on one side, the E.C.U. on the other; Lord Shaftesbury thundering Protestantism and bringing in bills which ignored all ecclesiastical preconceptions; the Archbishop almost openly contemptuous of Convocation; Convocation divided against itself and justly doubtful of its

own powers; the doubt 'whereunto this would grow,' and the fear of hindering God's work; distrust of Ministers, of Parliament, of the bishops, of each other, of the laity in general; these were reasons for hesitation and delay on the part of the clergy; and they have hindered effective action to this day.

Bishop Tait's Charge, 1866.

Just before this, in December 1866, the Bishop of London, in a Charge to his clergy, summed up in his cautious but statesmanlike manner, the situation as regards the two questions which then chiefly agitated the Church —Rationalism and Ritualism, two schools of theology which were 'causing very great alarm in the Church'; one of which made Christianity a human philosophy, the other a superstition. With regard to the former, he held with the Judicial Committee that definitions of inspiration must not be pressed, since they are alien to the spirit of the Church. The duty of the Court was not to draw inferences, but to explain the meaning of words. Similarly, as to the doctrines of imputed merit and eternal punishment, latitude of interpretation should be granted, wherever possible, on the same principle, viz. that no opinion should be excluded which is not 'contradictory of or repugnant to the plain sense of the formularies.' So much for rationalism. Ritualism he looked upon as a growing evil which must be dealt with by legislation, since the existing law could not touch it; the deeper evil of Romanised doctrine, which some interpreted ritualism to symbolise, could, it would seem, only be combated by good sense and moderation. He went on to speak of the impossibility of binding with legal forms 'so subtle a spirit as one that could deny the Resurrection or maintain the sacrifice of the Mass.'

Rationalism and ritualism.

Tait's belief in the necessity for legislation.

Bishop Tait's opinion, as shown by this Charge, clearly was that the existing powers of coercion were not strong enough to deal with widespread disobedience, and that the hope of the future lay, partly in revival of loyalty among the clergy, partly in more stringent legislation, as his own action showed some years later, in forwarding the Public Worship Act; and he probably thought that more power of summary jurisdiction should be given to the bishops. He did not perhaps foresee, though

his own words might foreshadow it, that the tendency of the ecclesiastical courts which he approved would be in the direction of latitude in all directions, and that the maxims 'everything is lawful which is not directly forbidden,' and 'formularies are to be construed in the narrowest literary sense,' gave an advantage to determined and aggressive men. He spoke pathetically of ecclesiastical litigation 'winding its devious course of appeals and counter-appeals through the Archbishop's court towards a distant settlement'; some controlling authority, judicial or legislative, must settle the limits of disobedience to bishops.

Divided counsels.

Divided counsels do not favour prompt action. Wilberforce in the meantime was doing all he could to keep the door open for the Ritualists and to give the control over them to the bishops, not to the judges. Tait was counselling moderation at a moment when advantages were being lost every day to a party which had carried Pusey and Keble along with them, and was endeavouring to bring back the Church of England to a condition which may be described as mediævalism minus the Papacy. As we have seen, there was no unanimity among the bishops, and no pastoral letter was issued. Action was imminent. Lord Shaftesbury was bringing in a bill of his own, and Archbishop Longley was preparing, with the assistance of other bishops, to take the wind out of Shaftesbury's sails by bringing in a bill much to the same effect.

Archbishop Longley's bill, 1866.

When this bill came before the Lords, the Archbishop having said that Convocation ought to be 'duly consulted,' Lord Shaftesbury asked whether the authority of Convocation was supreme, concurrent, or subordinate? The Archbishop replied that the law could be altered only by the power that made it, *i.e.* Parliament and Convocation. Tait did not agree; as a matter of fact, he said, many ecclesiastical Acts, including two Acts of Uniformity, had been passed without consent of Convocation, one of them that of Elizabeth in 1559, in despite of the unanimous opinion of the spiritualty; and, as a matter of expediency, he thought Convocation too dilatory to be a useful legislative body. Lord Cranworth and Lord Derby expressed what was probably the opinion of nine

Englishmen out of ten, that Acts of Parliament do not depend for their binding validity upon consent of Convocation, and that 'Parliament can do perfectly well without.' Convocation was one thing, Parliament another. Convocation disliked and feared Parliament, Parliament ignored Convocation. There was no necessity, said Shaftesbury, for concurrent action; it was open to any bishop to bring in a bill, or for Convocation to obtain letters of business, frame canons and submit them to Parliament, or for Government to draft a bill and get the opinion of Convocation upon it. Shaftesbury preferred to legislate in his own way, not estimating the forces opposed to his method of proceeding, one of the chief of which was inertia. Wilberforce had already told Archbishop Longley of 'a great move towards a higher ritual' in the English mind, and wished the bishops not to discourage this. Gladstone agreed, the Archbishop yielded, and in March 1867 it was announced that the Archbishop and bishops had abandoned their bill. Gladstone recommended a Commission; the Prime Minister, Lord Derby, consented; and a Royal Commission was appointed to consider the rubrics which had to do with ritual. The Commission presented its first report in August.

Ritual Commission, appointed, 1867.

Meanwhile Shaftesbury, putting no trust in bishops, Convocations, or Royal Commissions, and having indeed been treated with little consideration in the matter, proceeded with a Clerical Vestments Bill which he had introduced in March. This bill, if it had become law, would have ended one controversy at least, that of vestments. The earl proposed to give statutory effect to the 58th Canon, under which the Church of England had been governed ever since 1604: it had been approved by the Convocations of Canterbury and York, and ratified by the Crown; it formulated and gave authority to a usage which was the rule of the Church for half a century before the canons of 1604 were framed, and it had been obeyed ever since by the clergy.

Shaftesbury's Clerical Vestments Bill, 1867.

Shaftesbury, instructed by Dr. Stephens, the leading ecclesiastical lawyer of the time, proceeded to argue that 'all vestments, albs, tunicles, stoles, censers, copes, and candle-

sticks' were, according to Archbishop Grindal's orders in 1571 and 1576, 'utterly defaced, broken, and destroyed,' leaving the surplice only in use. The argument which he drew from these documents was the same which was held in more recent decisions of the Judicial Committee, that the undoubted usage of the Church since the accession of Elizabeth is a comment upon the meaning of authoritative directions issued during that period, and that the somewhat ambiguous words of the Edwardian rubric are to be read by the light of this *contemporanea expositio*. The bishops who approved the Acts of Uniformity of 1559 and 1662 and the canons of 1604 cannot have intended to issue orders contradicting the practice which at the same time was being enforced by them. 'I am censured,' he said, 'for proceeding by law. Why, my Lords, law or fancied law is the cause of the whole mischief, and by law alone can it be removed.' He proceeded to use an argument which was not likely to conciliate the bishops, that this was essentially a question for the laity, and it was not for the bishop and the minister to settle between themselves the order of the service or what vestments were to be worn. But neither bishops, who wished to be obeyed, nor clergy, who chose to disobey them, desired to let the laity in.

Advantage was taken by Archbishop Longley, prompted by Wilberforce, of the fact that a Royal Commission had been promised, to postpone the subject. Even Tait advised the House to wait till they heard what the Commission had to say; it would be for the Commission to make the law clear. Wilberforce spoke for liberty, delay, comprehension not compromise. Lord Derby interposed ministerial arguments, and pronounced for the Royal Commission as a preliminary to legislation, and the bill was lost by sixty-one to forty-six, eleven bishops voting for it, seven against; and with it an opportunity of peace which did not occur again. Wilberforce was right in point of law, and possibly as a statesman also, in thinking it desirable that, if possible, changes should be initiated in Convocation and confirmed by Parliament; the objection that the voice of the Church had not been heard was raised in 1874, and was one of the reasons which rendered ineffective the Public Worship Regulation Act of that year. A long period of

Shaftesbury's bill defeated.

Erastian government and abeyance of Convocation had made the laity forget that part of the British Constitution; but the Convocation of the clergy is a part of the Constitution; and Parliamentary legislation in ecclesiastical matters without consent of Convocation, though it may be valid, is imperfect, and will not command universal compliance. Responsibility is the ally of common sense; a body which has no power of effecting its wishes may say what it likes; it is to some extent at the mercy of its extreme members. But if the Convocations were put into a position to submit canons for ratification or rejection by the Legislature, it is probable that they would frame canons which are not of an extreme character. From the point of view of the clergy, the acceptance or rejection of a canon by Parliament is no infringement of the rights of Convocation; from the point of view of the laity, the State is well advised in putting an end to a deadlock and helping such a settlement as is desired by the Church. But the success of such a course of action would be promoted if Parliament understood that the laity of the Church had been fully consulted, and that their opinion coincided with that expressed by the clergy in Convocation.

Shaftesbury's failure, and the issue of the Commission's report, did not make for progress. During the next five years pains were taken both in Parliament and Convocation to establish a rule of law; but during the same time disagreements connected with the preliminaries to the Public Worship Regulation Act prevented harmonious action in high quarters. Archbishop Tait's attitude towards Convocation was indifferent, and Convocation was discouraged by the neglect or disunion of the bishops, its natural leaders. Accordingly little was done by Convocation in these eventful years; and the discontent caused by the Purchas judgment in 1871 united High Churchmen in a feeling of opposition. The Letters of Business issued in 1872 and 1874 gave Convocation its opportunity. The Houses asked and obtained leave to revise the whole body of the rubrics. But they were in no hurry to burn their fingers. They spent much time upon this work and made many alterations of more or less importance, but ignored the main point, and decided to leave the ornaments

Inaction of Convocation, 1867-1872.

Letters of Business, 1872, 1874.

rubric alone, apparently thinking legislation more dangerous than inaction. To amend the rubric and make it both clear and effective was not beyond the resources of statesmen: but Convocation would neither advise Government to do this, nor would itself frame canons to effect it. 'No sooner was this particular task attempted,' said Archbishop Davidson before the Clergy Discipline Commission of 1905, 'than both parties in the Church became alarmed. . . . The issue of many Committees and much debate was a resolve to leave unaltered the troublesome rubric on which so many strifes had hinged. This decision caused not a little surprise, and provoked, indeed, the unconcealed merriment of many outside critics.' The only intelligible reason for this was given by Bishop Magee of Peterborough, that 'the temper of the Church will not bear it': in other words, the disobedient clergy were stronger than the obedient, and to attempt to coerce them would bring with it the danger of disruption.

AUTHORITIES.—Roberts, *History of the English Church Union*; Bligh, *Lord Ebury as a Church Reformer*; Balleine, *History of the Evangelical Party*; Hansard, *Parliamentary Debates*; *Annual Register*; *Chron. of Convocation*. BIOGRAPHIES: *Shaftesbury*, by Hodder; *Tait*, by Davidson and Benham; *S. Wilberforce*, by Wilberforce.

CHAPTER VII

RITUALISM AND THE LAW COURTS

1853–1882

HIGH doctrine cannot be dissociated from high ritual; but those who dislike both find the ritual more open to attack than the doctrine. A remarkable case in which doctrine alone was concerned was that of George Anthony Denison (1805-1896), Vicar of East Brent, Somerset, and Archdeacon of Taunton, one of a notable family of brothers, which included a Speaker of the House of Commons and a Bishop of Salisbury. He was a Fellow of Oriel, a High Churchman of the most decided type; 'ever a fighter,' and, as he says of himself, one who had lived all his life 'upon a diet of very strong and definite conclusions, religious and political.' He appeared on many occasions as a defender of tractarian doctrine, a gallant and straightforward antagonist, one who would state his views plainly and bluntly, even aggressively.

The Real Presence. Archdeacon Denison.

As examining chaplain to Bishop Bagot of Bath and Wells he advocated uncompromising doctrine on the Sacraments; and when some misunderstanding arose between him and his Bishop, he resigned his chaplaincy (June 1853); and wishing to clear his position he preached in Wells Cathedral, and then published, three sermons on the Real Presence, challenging public inquiry. He also sent eight Propositions to the Bishop, the sum of which is that the bread and wine after consecration remain still in their natural substances; that the Body and Blood of Christ, present naturally in heaven, are really, though super-

Denison's sermons, 1853.

naturally and invisibly, present in the Lord's Supper under the elements, by virtue of the act of consecration; that both parts of the Sacrament, outward and inward, are given to and received by all who communicate; and that worship is due to the Body and Blood of Christ present under the form of bread and wine, but not to the elements themselves.

In 1855 the Rev. Joseph Ditcher, Vicar of the neighbouring parish of South Brent, under instructions from the Evangelical Alliance, prosecuted Denison in Archbishop Sumner's court. The Archbishop issued a Commission of Inquiry under the Church Discipline Act of 1840, which sat at Clevedon in January 1855, and reported on January 10 that the proposition 'that to all who come to the Lord's Table, whether worthily or unworthily, the Body and Blood of Christ are given, and by them received,' is directly contrary or repugnant to the doctrine of the Church of England; and that the doctrines set forth in Denison's sermons with reference to the Real Presence in the Holy Eucharist are contrary to the doctrine of the Church of England, and have a very dangerous tendency.

Commission of Inquiry at Clevedon, 1855.

The Archbishop was compelled to take action by *mandamus* from the Court of Queen's Bench (19 April 1856); and proceedings took place in July at Bath before the Archbishop in person and his assessors, Dr. Lushington and others. Dr. Lushington (12 August) delivered the unanimous judgment of the Pro-Diocesan Court, confirming the report of the Commission. The Archdeacon's objections were overruled, and on October 20 Dr. Lushington pronounced judgment of deprivation. In this judgment the precedent of the Gorham case was incidentally affirmed as furnishing the right rules of interpretation applicable in such cases as this. Denison appealed from this sentence to the Court of Arches, and obtained a judgment (23 April 1857) reversing Dr. Lushington's judgment of the preceding year, on a legal point. It had, therefore, no reference to the merits of the case.

Ditcher *v.* Denison in Pro-Diocesan Court, Bath, 1856.

Court of Arches, 1857.

The case then came before the Judicial Committee on Ditcher's appeal, and on February 6, 1858, Lord Justice Knight Bruce confirmed the judgment of the Lower Court

on the same legal grounds. The last words of the judgment are as follows: 'Of course it is understood that upon the question of heterodoxy, the question whether the Respondent has at any time uttered heretical doctrine or committed any ecclesiastical offence, their Lordships have intimated no opinion.' No further proceedings were taken against the Archdeacon, and the question of his orthodoxy thus remained undecided. Nevertheless, the effect of this inconclusive trial was, on the whole, to strengthen the upholders of high sacramental doctrine. Denison himself says that 'the long discussion of the case contributed very materially to a much more general and a much sounder knowledge of the doctrine of the Sacraments'; the clergy who held strong sacramental views were encouraged to speak more boldly, and the way was prepared for the further clearing up of the question in later cases. For notoriety is the ally, not the enemy, of toleration.

Ditcher *v.* Denison, Judicial Committee, 1858.

A similar question of doctrine, apart from ritual, came before the courts some years later in the case of the Rev. W. J. E. Bennett of Frome Selwood, whose doings at St. Barnabas', Pimlico, caused so much disturbance in 1850.[1] He published in the year 1867 a letter to Dr. Pusey entitled 'A Plea for Toleration in the Church of England,' in which he quoted with approval Pusey's words relating to the Sacrament of the altar, 'It is a presence without us, not within us only: a presence by virtue of our Lord's words. . . . The word *Body* is no figure. For our Lord says, "This is my Body"; and not so only, but "This is my Body, which was given for you." Since, then, it was His true Body which was given *for us* on the Cross, it is His true Body which is given *to* us in the Sacrament. The manner of the presence is different. The Body which is present is the same.' Further, Bennett wrote, 'without that doctrine, as containing and inferring the sacerdotal office of the priest and the sacrificial character of the altar, there would seem to me no church at all.' And again, 'I am one of those who . . . myself adore and teach the people to adore Christ present in the Sacrament under the form of bread and wine, believing that under their veil is the

Bennett's case.

His statement of doctrine.

[1] See p. 8.

sacred Body and Blood of my Lord and Saviour Jesus Christ.' Again, 'The three great doctrines on which the Catholic Church has to take her stand are these: (1) the real objective presence of our blessed Lord in the Eucharist; (2) the sacrifice offered by the Priest, and (3) the adoration due to the presence of our blessed Lord therein.'[1]

An action for false doctrine was brought against Bennett in the Arches Court in October 1869 by Thos. B. Sheppard. The points charged against Bennett, as to which he was *confitens reus*, were the following: the actual and objective presence of the Body and Blood of Christ upon the altar prior to, and separately from, the act of reception by the communicant; and the adoration due to the presence of our Lord in the consecrated elements. The Dean of the Arches, Sir Robert Phillimore, gave judgment on July 23, 1870, that it was not contrary to law for a minister of the Church to affirm or promulgate the doctrine that there is in the consecrated elements an actual and real presence external to the act of the communicant; but that it was unlawful to teach (1) that there is a visible presence of our Lord upon the altar, (2) that adoration is due to the consecrated elements.

Sheppard *v.* Bennett in Court of Arches, 1869, 1870.

The defendant appealed to the Judicial Committee of the Privy Council, and judgment was delivered by the Archbishop of York (Thomson) on June 8, 1872. Their Lordships, after reciting the facts, decided that (1) prosecutions of this kind were declared in Williams *v.* Wilson (1864) to be in the nature of criminal prosecutions, and that consequently there should be precision and distinctness in the accusation; (2) the precedent of the Gorham case must be followed as to the principles which should guide the judges; (3) the court had no jurisdiction or authority to settle matters of faith, but only to put the true and legal construction upon formularies.

Judgment of Judicial Committee, 1872.

The decision of the court on the first count was that the respondent had not affirmed that the Body of Christ is present in a 'corporal' or 'natural' manner. On the second

[1] Certain expressions used in the first edition of Bennett's writings were altered in later editions, and were so accepted by the court. The citations above are given as allowed by the court.

count, that of the sacrifice, they said, 'it is not clear to their Lordships that the respondent has so used the word "sacrifice" as to contradict the language of the Articles.' On the third charge, the adoration of Christ present in the Sacrament, they declared that the Church of England had forbidden all acts of adoration to the consecrated elements. Upon the whole, their Lordships came to the conclusion, 'not without doubts and division of opinions . . . that this charge is not so clearly made out as the rules which govern penal proceedings require. Mr. Bennett is entitled to the benefit of any doubt that may exist.' But, they add, even in their maturer form 'his words are rash and ill-judged, and are perilously near a violation of the law.' Their Lordships, in view of the fact that the proceedings were highly penal, held themselves bound to construe in the respondent's favour every reasonable doubt. It was ruled as unlawful—

Bennett is given the benefit of the doubt.

1. To contradict Article XXXI. as to Christ's one, perfect, and sufficient sacrifice, or as to the condemnation of propitiatory Masses.

2. To maintain that Christ's offering upon the Cross and the effects of it are or can be repeated in the Holy Communion; or that the Holy Communion is efficacious in the sense in which Christ's death is efficacious, to procure the remission of the guilt or punishment of sins.

3. To teach adoration to the consecrated elements, or to a corporal presence of Christ in them. But 'corporal' in the Declaration of Kneeling or 'Black Rubric' of 1662 is not equivalent to 'real and essential' in King Edward VI.'s Second Book.

Brooke, in *Six Privy Council Judgments*, concludes from this judgment that (1) changes in the Prayer Book made by omission are most material as evidence that the Church has deliberately ceased to affirm in her public services the doctrines inculcated or assumed by the omitted portions. To maintain such doctrines is not necessarily unlawful; but it is no longer unlawful to contradict them. (2) The Church of England holds and teaches a presence of Christ in the Lord's Supper to the soul of the worthy recipient. It does not affirm a presence upon the

Summary of the judgment.

altar; but to assert a real, actual, and objective presence is not so contradictory or repugnant to the Articles and formularies as to be properly made the ground of a criminal charge, nor does such an assertion necessarily include the assertion of a presence other than spiritual, or contradict Articles XXVIII. and XXIX.

It may be objected to the notion of comprehension here set forth that the duty of the Church is to bear witness to the truth, not to make compromises with error, or to regard all opinions as equal. On the other hand, the ethics of comprehension necessarily imply that there are limits within which variety of opinion is lawful; and the object of judges who interpret the formularies of the Church should be to ascertain in each case what those limits are, as settled by the law, not to extend or contract them.

The name of Alexander Heriot Mackonochie (1825-1887) is intimately connected with that of Charles Lowder, his friend and fellow-worker at St. Peter's, London Docks. Mackonochie was one of the foremost champions of the Ritualist movement; he was uncompromising in upholding what he believed to be the truth, fixed in all his convictions, unimaginative, and inflexible to argument. To his mind ritual was the necessary accompaniment of doctrine, and the doctrine of the Real Presence the most practically important of all doctrines; and his public life was spent in a continual fight to maintain these principles. Things which Lord Shaftesbury compared to the worship of Jupiter and Juno, and which, as Archbishop Tait said, 'appeared contemptible to men of the world,' bore witness for Mackonochie and his friends to the most sacred verities; the posture of a priest at the altar, the flame of a candle, the shape and colour of a vestment, were important enough to justify disobedience to bishops, bitter offence and dissension in parishes, litigation and unsettlement of foundations, and grave public scandal; and were held to glorify the risk of suspension, deprivation, fine, and imprisonment. It is difficult to approve the judgment of such men; it is impossible not to admire their courage and consistency. Mackonochie is not the only instance, but is one of the most conspicuous, of the beauty of

Mackonochie of St. Alban's, Holborn.

holiness set forth in the lives of priests of the English Church to whom the extremest doctrines of the High Church school were the guide of life. In his private life Mackonochie's ideal was that of a saint of the extreme ascetic Roman type. His skill as a confessor was widely known, and his constant teaching was to bring penitents to confession, absolution, penance, and communion. In ritual his one object was to set forth 'the central doctrine of the Anglo-Catholic movement, the honour due to the Person of our Lord Jesus Christ in the Blessed Sacrament of His Body and Blood.' He was one of the first Priest Associates of the Confraternity of the Blessed Sacrament, and Master of the Society of the Holy Cross (to which sign he bore an especial veneration) for clergy and candidates for Holy Orders. His curates and parishioners, and those too who found themselves in continual opposition to him, knew him as the man of ardent piety and inflexible courage, whose self-denying example was christianising one of the most heathenish and criminal districts of London. 'I have not a better man in my diocese than Mr. Mackonochie,' said Tait, at a moment when the affairs of St. George's in the East were causing him especial difficulty.

The cholera of 1866.

In the cholera epidemic of July and August 1866, Mackonochie and Lowder worked side by side with the Mission clergy and Sisters at St. Peter's in the Docks. 'It was difficult to cope with the strain and pressure of the need,' wrote Lowder. 'The suddenness of the attack, the awful rapidity with which it spread, and the speedy issue of each seizure, requiring immediate attention both for spiritual and physical relief, continually baffled our most earnest endeavours to provide it. . . . It seemed as if all had to be done in a moment. For the soul, it was required that the first moments of illness should be seized and improved in fulfilling the whole work of the priest, —exhortation, prayer, self-examination, confession, absolution, comfort. . . . And yet for the body these moments were also most precious; medical attention, the best preventive measures, violent friction, hot applications, the most careful watching and nursing were demanded at the very moment when we should have been glad to have kept the patient perfectly quiet for the preparation of his soul for death.' The priest is never

more his Master's servant than when he is doing the office of a healer and comforter. The passage quoted above contains the secret of High Church success; absolute faith in a definite creed; forgetfulness of self, and that hopeful spirit which burns nowhere so brightly as where hope is most discouraged. The clergy and Sisters who lived thus commended doctrine by example and converted their persecutors. 'We never had any trouble after the cholera,' said one of the Sisters; and this time of trial brought Bishop Tait into close contact with his clergy, and strengthened the respect which they felt for him, even when they opposed him most stoutly.

Provocation by excess.

The organisation of the tractarian body in East London was at this time very strong; besides the clergy, there were no less than seven communities of Sisters working there; and the secession to Rome of three of Lowder's curates did not shake the confidence of the people. The Church Association was vigilant, but could not find any grievance to work upon. The faults of good men are too often spoken of as if they were no faults, but merits, or as if a good cause covered all faults. If Mackonochie and those who worked with him had had more moderation, the Church Association would not have been organised to oppose them; the vestments and altar lights might have been left alone, under the protection of the judgment in Liddell *v.* Westerton; but they must needs have incense, chasubles of coloured silk, confessionals, stations of the Cross, and other 'Popish toys,' and so not only vexed even the bountiful founder of St. Alban's, Mr. Hubbard, but provoked the 'aggrieved parishioner' to begin his vexatious and damaging prosecutions.

Opinions of counsel, 1867.

In the report of the Ritual Commission of 1867 various opinions from eminent counsel as to the legality of ritual observances were inserted. All pronounced for the legality of vestments and against the legality of incense; on other points they were divided. The clergy who fought under the banner of the E.C.U. were encouraged by the opinion of their counsel to continue their practice; and Mackonochie, as one of the foremost Ritualists, was singled out for attack by the Church Association.

The case of Martin *v.* Mackonochie came before the Court of Arches in December 1867; the acts charged against Mackonochie were: (1) elevating the paten and chalice, and bowing, kneeling, or prostrating himself before the consecrated elements; (2) using lighted candles on the Communion Table during celebration, at such time when candles were not needed for giving light; (3) using incense ceremonially during the Communion service; (4) mixing water with the wine in the Communion. A case so similar to this that it need not be treated separately was Flamank *v.* Simpson, transferred at the same time from the diocese of Exeter; and the two cases were heard and judged together. Sir Robert Phillimore, the Judge of the Court of Arches, gave judgment on March 28, 1868. He decided that the elevation of the paten and chalice is unlawful; that to bring in incense at the beginning or during the celebration of the Communion service is illegal, though 'an ancient, innocent, and pleasing custom'; that to mix water with the wine is not illegal, so it be not done during the service. He did not pronounce it unlawful to place two lighted candles on the Holy Table, or for the priest to kneel or prostrate himself before the consecrated elements during the prayer of consecration; as to the latter, if Mackonochie had committed any error, it should be referred to the Bishop in his discretion.

Martin *v.* Mackonochie in Court of Arches, 1867.

Phillimore's judgment, 1868.

The promoter, Martin, a parishioner of St. Alban's, appealed to the Queen in Council against part of Phillimore's judgment in the Arches Court. There was no appeal as to the elevation of the paten and chalice, or the use of incense and of the mixed chalice, Mackonochie having discontinued these practices, on the monition of the judge. The case was heard by the Judicial Committee on November 17-20, 1868, and judgment was delivered on December 23 by Lord Cairns; Archbishop Thomson of York, Lords Chelmsford and Westbury, Sir William Erle, and Sir James W. Colvile being the other judges. As to the charge of elevation of the consecrated elements, the respondent pleaded discontinuance of the practice since December 30, 1866. The Court, however, went fully into the question, and pronounced that standing is the only lawful

Judgment of Judicial Committee, 1868.

position for the priest during the prayer of consecration, and kneeling when he receives the Sacrament; and that, as laid down by the Judicial Committee in Westerton *v.* Liddell, the directions given in the Prayer Book must be strictly obeyed in performance of divine service, without omission or addition. As to the second charge, they held that the use of lighted candles during the Communion service, if regarded as a ceremony, is unlawful, as not being directed by the Prayer Book; since the injunction of Edward VI. in 1547, which allowed 'two lights upon the High Altar before the Sacrament,' was abrogated or repealed by 1 Elizabeth, c. 2 (particularly § 27), and by the Act of Uniformity and Prayer Book of 1662. If the lighted candles are regarded as 'ornaments,' the Court referred to the Committee's decision in Westerton *v.* Liddell, which laid down that the words 'authority of Parliament' in the rubric of 1662 are to be understood of the Act 2 and 3 Edward VI. c. 1, which gave parliamentary effect to the First Prayer Book of Edward VI., and not to any canons or royal injunctions having authority of Parliament, made at an earlier period. Their Lordships held that in using the words 'by authority of Parliament' the rubric of 1662 does not enjoin what was in use *de facto* in 1549, nor what was lawful in 1549, but ornaments commanded by the Prayer Book of 1549, and no others. 'Ornaments' means articles the use of which in the services of the Church is prescribed by the First Prayer Book of Edward VI., and no others; and there is in that book no mention of lighted candles; but other articles may be lawful which are consistent with and subsidiary to the service. It follows that the lighted candles are not lawful ornaments; for (1) the Injunction of 1547 which allowed them is not within the definition of 'authority of Parliament' given above, and (2) they are not subsidiary to the service, since they are neither necessary to it, unless needed for the purpose of giving light (which was not the case here), nor do they aid or facilitate it.

The judgment in Martin *v.* Mackonochie showed how uncertain in its results, and at the same time how unfavourable to High Church claims, was the legal interpretation of obsolete formularies. Archbishop Tait suggested that the Legislature should refer all questions of this kind to Convoca-

tion, as being of the nature of by-laws and not fit for discussion in Parliament. It was, he said, inconsistent with the dignity of Parliament to be passing Acts on the subject of the colour and form of a clergyman's dress. But details of this kind excite the fears and prejudices of the laity, and cannot be kept out of Parliament.

The question of vestments, which was commonly supposed to have been settled by the decision of the Judicial Committee in Liddell *v.* Westerton, came up again in the Purchas case, in which that decision, so far as it bore upon the question, was reversed. The Rev. John Purchas (1823-1872), curate of St. Paul's and afterwards, from 1866, perpetual curate of St. James's, Brighton, published in 1858 a work called *Directorium Anglicanum*, a manual of directions for the right celebration of the Holy Communion, and for the performance of the other ceremonies of the Church. He was charged by Colonel C. J. Elphinstone in the Court of Arches (27 November 1869) with infringing the law in many particulars, in regard to which the judge, Sir Robert Phillimore, pronounced (3 February 1870) that the defendant had, amongst other things objected against him, worn, or caused others to wear, during divine service, cope, chasuble, alb with apparels, and other illegal vestments; that he formed processions with a crucifix, lights, banners and incense, used lighted candles on the Holy Table during the Communion service, mixed water with the wine, and elevated the Eucharist. The case was undefended, the defendant pleading poverty and ill-health; and as he gave no appearance to the citation, the proceedings were carried on in default. Sir Robert Phillimore issued a monition to the defendant, directing him to abstain from certain acts in which he had offended. The judge held that the Advertisements of 1566 were made, not by the Queen, but by Archbishop Parker, and had no legal force; the rubric of Edward VI.'s First Prayer Book therefore is binding, and the vestments complained of are not illegal. He did not condemn the mixed chalice, nor wafer-bread, nor the eastward position.

Vestments. The Purchas case, 1869.

Phillimore's judgment in Court of Arches, 1870.

The promoter appealed to the Judicial Committee for a fuller condemnation; but he died on March 30, 1870,

and the appeal was continued by Henry Hebbert, a retired Indian judge. It was heard by the Judicial Committee *ex parte*, as the respondent did not appear, either personally or by counsel. The points on which an appeal was made to the Judicial Committee to condemn the respondent were the following:— (1) Administering wine mixed with water; (2) standing with his back to the people during the Prayer of Consecration; (3) using wafer-bread; (4) using holy water; (5) wearing chasuble, dalmatic, tunicle, alb, and biretta. Lord Chancellor Hatherley delivered judgment on the question of vestments on February 23, 1871, to the following effect:—

Hebbert *v.* Purchas, Judgment of Judicial Committee, 1871.

The rubric of the First Prayer Book of Edward VI. (1549) directed the use of alb, vestment or cope, and tunicles. The Second Book of Edward VI. directed that neither alb, vestment, nor cope, but a surplice should be used, or a rochet by a Bishop or Archbishop.

The Prayer Book of Elizabeth (1559) directed that 'such ornaments of the Church, and of the Ministers thereof, at all times of their ministration, shall be retained, and be in use, as were in this Church of England, by the authority of Parliament, in the Second Year of the Reign of King Edward the Sixth.'

The Act of Uniformity of 1559 (1 Eliz. c. 2, § 25) uses the same expression, 'shall be retained and be in use as was in this Church of England,' etc.[1] These words were interpreted by the Committee (as had been held in Liddell *v.* Westerton) as referring solely to the First Prayer Book of Edward VI. The Injunctions of Elizabeth, also issued in 1559, direct that the churchwardens of every parish shall deliver inventories of vestments, copes, and other ornaments, including service books; and it appears from Visitation Articles in 1565 and onwards that such things were 'defaced, broken, and destroyed.'

An important point was raised in this trial. Hitherto it had been generally assumed that the rubric of Edward VI.'s First Prayer Book, as confirmed by later Acts of Uniformity, however it might be interpreted, was the law of the land;

[1] The only difference between the wording of the Act and that of the Rubric is 'was' in the Act and 'were' in the Rubric.

and this view was taken by the Judicial Committee in Westerton *v.* Liddell. The Act of Uniformity of 1559, while giving the same direction as the Prayer Book of the same date, adds on this head (§ 25) 'until other order shall be therein taken by authority of the Queen's Majesty, with the advice of her Commissioners appointed and authorised under the Great Seal of England for causes Ecclesiastical, or of the Metropolitan of this Realm': *i.e.* the Queen advised by the Court of High Commission or Archbishop had parliamentary authority to 'take other order'; and the judges held that this order was taken by the issue of Archbishop Parker's Advertisements of 1564, published in 1566, which condemned all vestments except the surplice, and in certain cases the cope. The Advertisements were regarded at the time as legally binding, and were very actively enforced within a few years of their publication, under commissions and by Visitation Articles; so that 'within a few years after the Advertisements were issued the vestments used in the mass entirely disappeared.' Though the Queen gave no such express order as was intended by the Act of Parliament, yet 'if the Queen's mandative letter preceded the compilation of the Advertisements, and if, as it appears abundantly, they were afterwards enforced by her authority, her assent must be presumed.' Moreover, Puritan attacks upon Anglican ceremonial within ten years of the publication of the Advertisements make no mention of any vestments as in use, except the cope and the surplice. At the time of the Hampton Court Conference and the publication of the Canons of 1603-1604, no mention of vestments occurs, except that by the 29th Canon the use of the surplice is enjoined in parish churches, and that of a cope for the celebrant at the Holy Communion in cathedral and collegiate churches. 'Their lordships think it needless to adduce authorities to show that there was no attempt to revive or use the chasuble, alb, or tunicle between the years 1604 and 1662.'

The Ornaments Rubric, and 'other order.'

The Ornaments Rubric of 1662 differs from the Ornaments Rubric of Elizabeth and James I. chiefly in omitting the words 'at the time of the Communion,' and before the words 'at all times of their ministration,' thus ignoring any difference

between eucharistic and other rites; and this was taken by the court to imply that there were in fact at that date no vestments which could be 'retained' except the surplice.[1] From the passing of the Act of Uniformity in 1662 the eucharistic vestments were not used; the surplice alone was used, as is shown by Visitation Articles, and in certain cases the cope.

Ornaments Rubric of 1662.

The conclusion therefore with regard to the vestments was that 'the Ornaments Rubric does not permit the use by the minister, while officiating at the Holy Communion, of the chasuble, the alb, or the tunicle, but requires the use of the cope in ministering the Holy Communion on high feast days in cathedrals and collegiate churches, and of the surplice in all other ministrations.'

Ruling of the Judicial Committee.

Other points ruled by the Judicial Committee in Hebbert *v.* Purchas were as follows:—

1. The priest throughout the Communion service must stand at the north side or *end* of the Communion Table, so that the 'manual acts' may be seen by the people.

2. The bread is not to be wafer-bread, *i.e.* unleavened and of round form, but pure wheaten bread of the usual sort.

3. The wine is not to be mixed with water, either before or during the Communion service.

4. The use of a biretta as a vestment in the service is illegal.

A case closely connected with the foregoing is the Ridsdale case. In March 1873 Archbishop Tait issued a monition from his Diocesan Court to the Rev. Charles J. Ridsdale, incumbent of St. Peter's, Folkestone, with respect to certain ornaments set up in his church. This monition did not take effect, owing to a technical inaccuracy; but after the passing of the Public Worship Regulation Act in 1874, the complaint was renewed by the

The Ridsdale case, 1873.

[1] The bishops also, in their answers to the Puritans at the Savoy Conference in 1662, whilst discussing the rubric of James I.'s Prayer Book, when the Puritans wished to omit the rubric because it 'seemeth to bring back the cope, alb, and other vestments forbidden by the Common Prayer Book 5 and 6 Edward VI., show that they understood the surplice to be in question, and not the vestments.

parishioners, and Ridsdale was prosecuted under that Act in the Court of Arches.

Lord Penzance's judgment in the Arches Court, 1876.

Lord Penzance gave judgment in the Arches Court on February 3, 1876. Several charges were brought against the respondent, which he did not deny; among them that of celebrating the Holy Communion in chasuble and alb; on which charge Lord Penzance referred to former decisions of the judges of the ecclesiastical courts and the Judicial Committee. The eucharistic vestments enjoined by the First Book of Edward VI. were declared lawful by the Judicial Committee in Liddell *v.* Westerton (1857), though only as an *obiter dictum*; and in Martin *v.* Mackonochie (1868) the same court recognised and affirmed the ruling in Liddell *v.* Westerton; and the court further explained that 'the words "authority of Parliament" in the rubric refer to and mean the Act of Parliament 2 and 3 Edward VI. c. 1, and do not refer to or mean canons or royal injunctions having the authority of Parliament made at an earlier period.' In Hebbert *v.* Purchas (1871) the vestments were declared illegal by the same authority. The judgment in that case, said Lord Penzance, 'appears to be directly in conflict' with that in Martin *v.* Mackonochie. He adds, 'It may be that this conflict of authorities is rather apparent than real,' and he gave judgment according to the later decision. The eastward position at the Lord's Table, the use of wafer-bread, and a crucifix with lights on the chancel screen were also condemned as illegal.

Judgment of Judicial Committee, 1877.

The defendant appealed to the Crown against four points in this decision, viz. the ruling on (1) vestments, (2) the eastward position, (3) wafer-bread, (4) the crucifix on the chancel screen. The case was heard by the Judicial Committee, and judgment was given on May 12, 1877, by Lord Chancellor Cairns and a full bench of judges, viz. Selborne, Colvile, Kelly, Phillimore, James, Smith, Collier, Brett, and Amphlett; the Archbishop of Canterbury, and the Bishops of Chichester, St. Asaph, Ely, and St. David's being assessors. In the matter of vestments judgment was pronounced against the appellant. The court went fully into the arguments adduced in Hebbert *v.* Purchas, on the ground that that cause had been heard *ex parte*, and

the judgment was not finally conclusive. They carefully examined Elizabeth's Act of Uniformity and rubric in the light of other contemporaneous documents and the history of the times, and confirmed the judgment in the Purchas case; deciding that 'other order' was actually taken by Elizabeth in and by the Book of Advertisements published in 1566, which, they held, had the force of law, and were so obeyed.

Interpretation of 'other order.'

We may remark here that the ambiguity which is observable in the ecclesiastical regulations of the reign of Elizabeth may in some degree be attributed to the Queen's dislike of making herself responsible for what her servants did under her authority, to her personal liking for ritual, her knowledge that the nation was divided on the subject of the Mass, and her wish to leave herself an opportunity of sailing according as the wind might serve. If she refused to give the Advertisements her direct sanction under her signet, as noted by Cecil on the document itself, it does not follow that they did not come under the head of 'other order'; nor, if they did, was she excluded from taking 'other order' at any subsequent period, as *e.g.* in January 1561, when she gave directions (with especial reference to the mention of 'further order' in her Act of Uniformity) as to the Lectionary, the 'decays of churches,' and 'the unseemly keeping' and order of chancels.

Queen Elizabeth's policy.

The court thought it unreasonable to suppose that in 1662, when the Prayer Book was restored, the Legislature should have contemplated 'the restoration of vestures which had not been in use for nearly a hundred years, and had become associated, not in the popular mind only, with the idea of superstition.' As to the re-enactment of the Edwardian rubric by the Act of Uniformity and rubric of 1662, 'their lordships cannot look upon this rubric as being otherwise than what it was before, a memorandum or note of reference to [Elizabeth's Act of Uniformity].' As to the words, 'shall be retained and be in use,' 'if [they were] intended as a mere extract from the statute, or to continue and carry forward in 1662 the use of those things which were then actually, or in contemplation of law, in use under that statute, they are apt and appropriate;

Rubric and Act of Uniformity of 1662.

but most inappropriate so, if it was meant to bring back an old and long-disused state of things . . . repealing § 25 of 1 Elizabeth, c. 2, and all that had been done under it.' The court accordingly held that 'the ornaments rubric of 1662 cannot be looked at otherwise than in connexion with the statute of 1 Elizabeth, c. 2,' into which statute they consider that the Advertisements ought to be read. Or, in other words, 'reading . . . the order as to vestments in the Book of Advertisements into the 25th section of 1 Eliz. c. 2 . . . it will appear that that section, from the year 1566 to 1662, had the same operation in law as if it had been expressed in these words:—

'"Provided always that such ornaments . . . of King Edward VI., except that the surplice shall be used by the ministers of the Church at all times of their public ministrations, and the alb, vestment or tunicle shall not be used, nor shall a cope be used except at the administration of the Holy Communion in Cathedral and Collegiate churches."

'This state of the law was generally understood, acted upon and enforced by authority, from 1566 to 1662. It is then not probable that it was the intention or the effect of the legislation of 1662 to repeal the 25th section of the statute of Elizabeth, and all that had been done under it, and to set up a new and self-contained law on the subject of Ornament.' The rubric, says the judgment, is to be regarded merely as 'a note of reference to the statute. . . . They are of opinion that the decision of the learned judge of the Arches Court as to the vestments worn by the appellant . . . is correct and ought to be affirmed.'

'There are,' says Canon Perry in his *Student's English Church History*, 'three views of this rubric, viz. that of the Court of Appeal, that it *prohibits* the Edwardian vestments; that of a large number of learned persons, that it *enforces* them; and that of many divines of influence and weight, that it *permits* them.'

Various views of the Ornaments Rubric.

With regard to the last of these views it may be said that permissive legislation, unless the permission is clearly defined, is unknown to the English law. The letter of the law, without contemporary elucidation by the facts of the time, favours the view that the use of the Edwardian vestments is not only

lawful but obligatory; the facts of the time make it difficult to believe that the intention of the Legislature was to restore ornaments which had not been used in the Church, except in rare instances, for nearly a century; for in fact they were not restored, nor was any habit used in churches or enjoined in the diocesan orders which the clergy were expected to obey, except the surplice, and at certain times and places the cope. The controversy, both in Elizabeth's time and at the Restoration, was a surplice controversy, not a chasuble controversy; the proofs of this are so numerous that the question could not have been raised, but for the difficulty which is caused by the retention of the Elizabethan rubric in 1662; which rubric, as it stands, contradicts the common, authorised, and undoubted practice of three hundred years.

It has been suggested that the bishops who were employed in drafting the Act of 1662 had no direct acquaintance with the First Book of Edward VI., copies of which were very scarce; and that they retained the Elizabethan rubric out of ignorance or inadvertence. However this may be, the Judicial Committee in the Ridsdale case asserted the weight in law of contemporaneous and continual usage as an exposition of enactments. That is to say, they took the common-sense view of the situation as affected by the history of the Church, and attempted to make the letter of the law square with it; thereby, in the opinion of many, doing violence to the law, which it was their duty to interpret.

With regard to the eastward position, the court ruled that the celebrant must not stand 'so as intentionally to defeat the object of the rubric,' viz. that the congregation may see the manual acts of the consecration; 'before the people' being equivalent to 'in the sight of the people.' The point of wafer-bread was waived, because it was not made clear in the charge that the appellant had used bread of an illegal kind. The setting up of a crucifix on the screen across the chancel arch was held to be illegal, as tending to superstitious observance. This judgment caused great disappointment and resentment. It could not be denied that the decision was given by a strong court; yet the judgment seemed to go counter to the plain words of the statute and rubric. 'Not,' said some, had in effect been

Other points ruled.

inserted; the judgment was decided by reasons of policy, not law. It was held, and by persons of high authority, that Lord Cairns's Protestant prejudices had influenced the judgment, and that his unexpected action in insisting on secrecy, according to a disused Order in Council, prevented the objections of the minority from being heard, and gave the appearance of unanimity to a divided court. 'It was a flagitious judgment,' said one of the minority.

Failure of the Public Worship Regulation Act.

Prosecutions under the Public Worship Regulation Act of 1874 produced a difficulty which had not been foreseen by its framers, and which in course of time rendered the Act inoperative. It would have been sufficient to let the penalties of suspension, deprivation, and ejection operate automatically after a reasonable time; but a refusal to acknowledge the sentence of the court led to proceedings for contempt of court, and ultimately to imprisonment. Churchmen and the public generally would see no injustice in the deprivation of a clergyman who will not obey the law; but to impose long imprisonment for a matter of conscience borders on persecution, and confuses the ideas of right and wrong which should be associated with law. Imprisonment made martyrs, and created so much sympathy with the sufferers, and dissatisfaction with the Act, that prosecutions ceased, and Archbishop Tait's legislation ended in failure.

Prosecutions under the Act. T. Pelham Dale's case, 1876.

One of the first prosecutions (1876) under the Act was that of Thomas Pelham Dale, rector of St. Vedast's, Fetter Lane, London, who for a time submitted to Lord Penzance's inhibition, and gave up the practices objected to. In the same year Arthur Tooth, Vicar of St. James's, Hatcham, Kent, was proceeded against in the Court of Arches for illegal ritual, and inhibited from exercising the cure of souls. He took no notice of the order, and proceeded to hold services in his church on the 29th and 31st of December. Lord Penzance, Dean of the Arches, pronounced him contumacious and in contempt; but he continued to hold services as before. In connexion with these events a vote of sympathy with Mr. Tooth was passed by the English Church Union on December 7, 1876, and at a

Tooth's case, 1876.

meeting at Freemasons' Tavern, in the following January, at which 1200 Churchmen were present, resolutions were proposed by Carter, Denison, and others, and carried, denying the authority of the secular power in matters purely spiritual, and in particular of any court which is bound to frame its decisions in accordance with the judgments of the Judicial Committee of the Privy Council or any other secular court, and accepting the interpretation put upon the rubrics by the Lower House of Convocation in 1875, rather than that of any lay authority. It may be noticed that these resolutions entirely ignored the bishops of the Church.

When the Vicar, at the end of his three months' inhibition, renewed the services at St. James's, large crowds assembled at Hatcham, which had to be dispersed by the police, not without some disturbance and stone-throwing. The next step was his arrest, and committal for contempt, on January 20, 1877, and his imprisonment in the debtors' ward of Horsemonger Lane gaol. His imprisonment did not last long; he was discharged on February 18, at the request of the complainants in the suit; and on May 13, 1877, he made his appearance in the church, having effected his entry through a window, and proceeded to celebrate the Holy Communion. Long correspondence with Archbishop Tait ensued, in which the disputant proved himself in dialectics a match for the Archbishop; and ultimately proceedings in the case were quashed by the Queen's Bench on appeal (19 November 1877), on the ground that the trial did not take place in the diocese of Rochester.

In 1880 fresh proceedings were taken in the Court of Arches against Dale, the rector of St. Vedast's, and on October 28 he was pronounced by Lord Penzance to be in contempt, and was imprisoned in Holloway gaol. He was let out on bail on Christmas Eve, and his writ of inhibition was pronounced to be bad on a legal point by the lords justices in January 1881. Soon after, he was presented to a living in Lincolnshire.

In 1879 the Rev. Sidney H. Green, rector of the church of St. John's, Miles Platting, Manchester, fell under the censure of the Church Association for ritualistic practices, and proceedings were taken against him for the use of vestments and incense. The defendant

The Miles Platting case, 1879.

refused, on the ground of conscience, to submit to the bishop's direction. The case came on before Lord Penzance on June 14, and in August a monition was issued to Mr. Green, prohibiting him from the use of the ornaments and ceremonies objected against him. As he took no notice of the prohibition, and continued to disregard it for more than a year, he was pronounced guilty of contumacy and contempt, and was imprisoned in Lancaster Castle, March 19, 1881.

Lord Penzance's monition, August 1879.

Mr. Green imprisoned, 1881.

Attempts were made by the Bishop of Manchester (Fraser) to induce Mr. Green to submit to his ruling under the head of 'canonical obedience,' or, in the case of a difference of opinion between them, to defer to the joint decision of the Archbishop of York and his suffragans. He, however, adhered to his own definition of 'canonical obedience,' *i.e.* obedience to what was enjoined by the 'canons of the Church,' maintained his own interpretation of the rubric, which differed from that of the Judicial Committee, and waived the point of any obedience due to the Bishop, apart from the interpretation which he had adopted. The contest, like that in Dale's case, became one between two rival Societies—the E.C.U. and the Church Association; and all power of moving in the matter passed from the Bishop's hands. The rectory of St. John's fell vacant in August from lapse of time. The rector would not recognise, by asking to be released, the authority of the court whose sentence had caused his imprisonment; the E.C.U., for the same reason, refused to act; and the Bishop was at a loss how to act. He was not a party in the case, and Mr. Green, if he had been liberated, would have gone back to his parish, and claimed and exercised his rights as rector. Finally, in November 1882, the Bishop, as Ordinary of the diocese, applied to Lord Penzance to relax the inhibition; and Lord Penzance, after declaring that Green's imprisonment had satisfied his contempt, ordered his release.

Mr. Green liberated, 1882.

The result of prosecutions and imprisonments was to show, not for the first time, that it is easier to pass laws than to make them effective, that the existence of an Establishment is a hindrance to ecclesiastical consistency, that the English

people cares less for doctrine than for liberty, and that the elasticity or inconsequence of English law, as well as the fallibility of judges, makes it difficult to bring law-breakers to obedience.

NOTE ON RUBRICS, ETC., AFFECTING LAW OF VESTMENTS

1. (*a*) Ornaments Rubric of First Prayer Book of Edward VI. (1549).—The eucharistic vestments are, for the celebrant, 'a white alb plain, with a vestment or cope'; for the assistant priests or deacons, 'albs, with tunicles.'

(*b*) At the end of Edward VI.'s First Prayer Book.—Upon Wednesdays and Fridays the English Litany is to be said or sung, and thereafter the Communion Office until after the Offertory to be said, the priest wearing a plain alb or surplice, with a cope. In the saying or singing of Mattins or Evensong, baptizing or burying, the minister, in parish churches and chapels attached to the same, shall use a surplice. . . .

(*c*) The Bishop at Holy Communion is to wear, beside his rochet, a surplice or alb, and a cope or vestment . . . and also to carry his pastoral staff.

2. In the Second Book of Edward VI. (1552) the note is: 'the minister at the time of the Communion, and at all other times in his ministration, shall use neither alb, vestment, nor cope; but being Archbishop or Bishop he shall have and wear a rochet, and being a priest or deacon he shall have and wear a surplice only.'

3. (*a*) 1559 Act of Uniformity (1 Elizabeth, c. 2, § 25).—'Such ornaments of the Church and of the ministers thereof shall be retained and be in use as was in this Church of England by authority of Parliament in the second year of the reign of King Edward VI., until other order shall be therein taken by the authority of the Queen's Majesty, with the advice of her Commissioners appointed and authorised under the Great Seal of England for causes Ecclesiastical, or of the Metropolitan of this realm.'

(*b*) 1559 *Prayer Book Rubric.*—'The minister at the time of the Communion, and at all other times in his ministration, shall use such ornaments in the Church as were in use by authority of Parliament in the second year of the reign of King Edward VI., according to the Act of Parliament set in the beginning of this Book' (Act of Uniformity, 1 Elizabeth, c. 2).

4. The Queen's Injunctions (1559), says Strype (*Annals*, i. 416, fol. 1709), prescribed gown, square cap, and tippet for graduates, and 'in their ministrations the surplice.' But the wording of the Injunctions is (§ 30), 'Such seemly habits, garments, and such square caps as were most commonly and orderly received in the latter year of the reign of King Edward VI.' There is no order as to surplices. This then is authoritative.

5. In Convocation 1562/3 (Strype, *Annals*, i. 282), there was presented a 'notable paper' praying that the use of vestments, copes, and surplices be from henceforth taken away.' This should mean either that chasubles were still to some extent in use, or that 'vestments' is used generally, as in the modern use of the word. (This was signed by Dean Nowell.)

It is not unlikely that the chasuble, restored by Mary, should have been 'retained' in many places where, for one reason or another, Elizabeth's officers did not enforce the law.

6. February 13, 1562/3, another paper proposing, *inter alia*, 'that it be sufficient in time of saying divine service and ministering of the sacraments to use a surplice.'

7. 1564/5. The Queen wrote peremptorily to Archbishop Parker, desiring him, after conference with other bishops, namely, such as be in commission for causes ecclesiastical, to find out what diversities exist in doctrine or ceremony or 'manners of the clergy,' and to proceed by order, injunction, or censure.

8. This led to the Advertisements published 1566. In the Preface, Archbishop Parker says that the Queen had, by her letters directed to the Archbishop, required that with help of the bishops in the Ecclesiastical Commission order should be taken [cf. 'other order'] for repression of diversities. The direction follows that in cathedral and collegiate churches a cope shall be used, 'with gospeller and epistler agreeably [this may imply tunicles]; and at all other prayers to be said at the Communion table to use no copes but surplices.' Other ministers to wear 'a comely surplice with sleeves, to be provided at the charges of the parish.'

The legal validity of these Advertisements is doubted. According to Strype, Parker submitted them to Elizabeth for ratification as *Decrees*, but having been persuaded by certain persons (principally Leicester), she would not sign them, but said that 'the Archbishop's authority and the Commissioners' was sufficient. The title 'Advertisements' was thought 'a modester denomination' than 'Articles' or 'Ordinances.' Strype (*Annals*, i. 410) denies that they 'had the strength of the law'; and this view is taken by a puritan Tract, 'Certaine considerations drawne from the Canons,' published in 1604. The Judicial Committee in the Ridsdale case held that the Advertisements, having been 'acted upon under a number of Royal Commissions and with the approval of the Metropolitan,' were a 'taking other order' within the sense of 1 Elizabeth, c. 2, § 25.

9. In 1565 Bullinger writes he should never approve . . . if the command were to execute the ministry at the altar . . . *in alba et casula*, but by other letters from England he understands that 'the question was . . . whether Gospel ministers might wear a round cap or a square, and a white garment called a surplice.' And in 1572 Cartwright's *Admonition to the Parliament* mentions only 'a cap, a tippet, or a surplice' as in question.

10. 1603, *Canon* 24.—In cathedral and collegiate churches at Holy Communion, 'the principal minister using a decent cope and being assisted with the gospeller and epistler agreeably, according to the Advertisements published A° 7 Elizabeth.'

Canon 58.—Almost verbatim, as in the Advertisements, 'a decent and comely surplice with sleeves.'

11. 1604 *Prayer Book* identical with 1559.

12. 1662 *Prayer Book.*—'And here it is to be noted that such ornaments of the church and of the ministers thereof, at all times of their ministrations, shall be retained and be in use as were in the Church of England by the authority of Parliament in the second year of the reign of King Edward VI.'

13. The *Act of Uniformity* (1662) does not contain § 25 of Elizabeth's statute, which is embodied in the rubric. It was noted in Clifton *v.* Ridsdale that the words 'at the time of the communion' are omitted, as if to mark that the same vesture (*i.e.* surplice) was to be used at all services, *i.e.* no distinction between Holy Communion and other services. But the cope continued to be used in cathedral and collegiate churches, more or less.

14. Note that 'retained,' though natural after the reign of Mary, has no meaning in 1662; it may have been copied inadvertently from § 25 of Elizabeth's Act. In Hebbert *v.* Purchas (1871) it was held by the Judicial Committee that the word 'retained' in Elizabeth's Act of Uniformity and in the rubric of 1662 refers to things in use at the time of the passing of the several Acts; *i.e.* that to revive is not to retain, and that a thing prescribed by 2 and 3 Edward VI. c. 1, but obsolete in 1559 or 1662, could not be 'retained'; and that the Canon of 1604 settles the point, being construed together with the two canons on the subject.

But things legal under the First Prayer Book of Edward VI. (1549), illegal under the Second (1552), and restored by Act of Parliament under Mary in 1553, and therefore neither illegal nor obsolete at the accession of Elizabeth in 1558, might be 'retained' in 1559; that word referring to the *status quo* in 1558, not to the *status quo* in 1549. Elizabeth might retain what Mary had restored. By the letter of Elizabeth's Act of Uniformity, if this interpretation of 'retained' is sound, part of Mary's restorations were to be retained, viz. those which were ordered to be used by the Prayer Book of 1549. If this is so, the word 'retained' in the rubric (not the Act) of 1662 must have been copied inadvertently, or used by a misunderstanding, or neglected as unimportant.

Whatever may be the legal niceties of the subject, it is open to grave question whether the framers of the Act of Uniformity in 1662 intended to impose upon the clergy the obligation of wearing the vestments and using the ornaments of the Church as they were enjoined by the First Prayer Book of Edward VI. There is no question of permissive use, or of a maximum and minimum use; if these ornaments are lawful, no others are; and the injunctions, canons, and other documents which enjoin the use of the surplice only, or of the cope on certain occasions and in certain places, and which represent the almost universal practice of the Church since the reign of Elizabeth, have no authority. In other words, the Sovereign, the Episcopate, and the clergy have for three hundred years assisted in a flagrant breach of the law.

This idea could never have obtained currency had not the extreme party in the Church, on the principle that 'what is not expressly forbidden

is permitted,' re-introduced mediæval ceremonial with all its 'ornaments,' whilst they openly disclaimed any wish to obey the spirit of the law, and even avowed the intention to go as near to disobedience of the letter as possible.

AUTHORITIES.—King, *Sacrilege and its Encouragement*; Denison, *Notes of my Life*; Bennett, *The Bennett Prosecution*; Trench, *Chas. Lowder*; Brooke, *Six Judgments*, etc.; Brodrick and Fremantle, *Collection of Judgments*, etc. HISTORIES: Paul, *Modern England*; Perry, *English Ch. Hist.*; *Annual Register*; *Chron. of Convocation.*

CHAPTER VIII

RITUAL COMMISSION AND REVISION OF BIBLE

1867–1870

THE Royal Commission on ritual was appointed on June 3, 1867: the Commission was a strong one, and represented many forms of opinion. At its head were the Archbishops of Canterbury (Longley) and Armagh (Beresford); Bishops Tait, Thirlwall, Wilberforce, and Ellicott; Dean Stanley; prominent Evangelicals such as Lords Portman and Ebury; High Churchmen like Beresford Hope; lawyers such as John Duke Coleridge and Sir Robert Phillimore; Professor Jeremie, Canon Gregory (now Dean of St. Paul's), and others. Lord Shaftesbury declined to serve, on the ground that his opinions were so decided and so well known that his presence on the Commission would deprive it of 'the character of entire impartiality.'

Royal Commission on ritual appointed, 1867.

The Commissioners issued their first report, dealing with the question of vestments, on August 19, 1867. They examined a considerable number of witnesses, and ascertained that the historical record of liturgical usage is imperfect and ambiguous, and that the most inconsistent opinions were held by high legal authorities as to what 'ornaments of the minister' are lawful or unlawful. But whether lawful or unlawful, whether symbolical of doctrine or only intended to do honour to the Holy Communion, the Commissioners stated that by no class of Churchmen were the eucharistic vestments regarded as essential, while to many they were the causes of grave offence. They therefore recommended Her Majesty to 'restrain in the public services of the

First report of Ritual Commission, 1867.

Church . . . all variations in respect of vesture from that which had long been the established usage,' and advised that aggrieved parishioners should have 'an easy and effectual process for complaint and redress.' But they were 'not yet prepared' to recommend any means by which restraint could be enforced. Legislation was the only practicable form of restraint, and the clergy, especially the High Church clergy, were unwilling to promote legislation for several reasons.

Among the foremost of these was distrust of an 'Erastian' Government and a non-Catholic Parliament, which made Church leaders loth to accept a gift from the only power which could make an effective settlement. Without 'an easy and effectual,' *i.e.* an accessible, inexpensive, and final court, to which all parties would render willing obedience, offenders could not be restrained. But no court could command the willing obedience of all as a lawful ecclesiastical court, though it might enforce compliance, unless it were constituted by joint action of Convocation and Parliament. And if uniformity in the Protestant sense were reimposed and enforced upon Ritualists, what would become of those earnest and devoted clergymen who were doing a great work among the poor of London and the great towns, and whose loss to the Church would be irreparable? It might be argued, on the other hand, that the practice of the Church of England had been almost completely uniform for two hundred years, and that desire of change was not a good thing in itself; that the liberty of free growth and development, on which Bishop Wilberforce set so high a value, would result in the reimposition of that ceremonial burden from which the Prayer Book had delivered our forefathers; and that though comprehension might be a good policy when foundations were being laid and limits set, it was a dangerous word to use when some of those for whom it was claimed demanded that all Roman teaching and practice should be included.

Reasons against legislation.

The Commissioners issued their second report on April 30, 1868. In this report the use of lighted candles as an accessory to the Communion Office and of incense in the public services of the Church was condemned, as of recent introduction, and unknown to English custom during the last three hundred years.

Second report of Ritual Commission, 1868.

The use of incense was recent and very rare, and appeared to be at variance with the Church's usage for an equally long period.

The first report had contained no suggestions for legislation. In the second report the Commissioners give their opinion that 'a speedy and inexpensive remedy' should be provided, viz. that the usage of the Church of England for the last three hundred years should be deemed to be the rule of the Church, in respect to vestments, lights, and incense. When the 'rule of the Church' had been ascertained, power to enforce it summarily should be given to the Bishop, subject to appeal to the Archbishop, whose decision would be final unless questioned on any legal ground, in which case it was to go to the Queen in Council. The Commissioners were not unanimous in these recommendations. The Bishop of Oxford (Wilberforce) and the Dean of Ely (Goodwin) held that the ritual of the Church should be regulated by a living authority, not by a new and rigid rule of ornaments. Coleridge and Stanley, pleading for the retention in the Church of two parties divided as to outward observance and ceremonial, desired no rigid uniformity. Their recommendations.

It is to be noted that the Sovereign is asked to establish a new court, not to abolish any existing courts; and that the provisions giving appeal to the Queen in Council, if the decision of the Bishop or Archbishop is questioned on any legal ground, create a new procedure, presumably not much less costly and dilatory than that of the Consistory and Arches Courts and the Judicial Committee, whilst leaving the old procedure untouched. Comments on the recommendations.

The Commissioners would have been acting within their instructions if they had proposed legislation in respect to other debatable subjects besides vestments, lights, and incense. But they took no steps to alter the rubrics which order the place of the Holy Table, or the position, posture, or gestures of the minister at different parts of the services, though these had been discussed in lawsuits and traversed in every sense by judgments more or less authoritative. The lawfulness or unlawfulness of stone altars, credence tables, crucifixes, crosses, candlesticks, stoles or Imperfect treatment of the rubrical question.

scarves, flowers on the altar, and other ornaments which might or might not come under the category of things subsidiary to the service, was left unsettled. The eastward position, elevation and adoration of the consecrated elements, genuflexion, prostration, the singing of 'Agnus Dei,' the use of the mixed chalice were left as settled or unsettled by previous judgments; but the use of wafer-bread was forbidden. No alteration of the rubric was proposed; all was referred to the usage of the Church for three hundred years; a halting conclusion, for to raise a question as to what may be deemed 'the usage of the Church,' instead of stating plainly what ornaments and ceremonies are lawful, and expressly excluding all others, was to send lawyers seeking evidence not only in official documents, but in all the byways of antiquarianism, from injunctions, inventories, and pictures, to establish how many instances of divergence from the common custom make a 'usage.' This was to readmit the dead hand just where a living authority was wanted.

Memorials for and against legislation, 1867.

That it was impossible for the Commissioners to please everybody may be judged from two memorials drawn up, the first by Lord Nelson, with Archdeacon Denison and Robert Brett of Stoke Newington, and signed by twelve thousand of the clergy and laity, the second by the Vice-Presidents and Committee of the Church Association: the former of which pleaded for 'high ceremonial' as being both legal and 'a proper outward expression' of Church doctrine, 'a help to devotion and a means of teaching'; whilst the latter 'acknowledged with satisfaction' the opinion of the Commissioners as to the expediency of restraining all variations from established usage, and urged the Commissioners to complete their work by suggesting to the Queen a parliamentary remedy for these evils.

Third report of Ritual Commission, 1870. The Lectionary.

The Commissioners issued their third report on January 12, 1870, dealing with the daily and proper lessons appointed to be read in church. The effect of the revision was to vary and shorten many of the lessons, to disregard, when desirable, divisions of chapters, and 'so to arrange the lessons as to include whatever might be most conducive to edification when read in the general congregation.' The number of

lessons taken from the Apocrypha was largely reduced, a questionable alteration. The New Testament lessons were arranged in a double cycle, so as to be read twice in the year instead of three times. Thus, the Gospels and Acts of the Apostles were to be read at evening service, and the Epistles in the morning, in their turn. Other alterations were the addition of chapters from the Book of Revelation, and a large revision of the Proper Lessons for Holy Days. It has been objected to the new Lectionary that it brings out too prominently the sacerdotal, typical, and thaumaturgic side of the Bible; but it is universally acknowledged to have been on the whole a great improvement on that for which it was substituted. The third report is the only part of the Commissioners' work which was confirmed by legislation.

The Commissioners, now presided over by Archbishop Tait, who succeeded Longley in 1868, presented their fourth report on August 31, 1870. This report dealt with 'all directions contained in the Book of Common Prayer.' The whole Book of Common Prayer was passed in review, and a considerable number of alterations put forward, but the weight of the recommendations made by the Commissioners was largely diminished by the great variety of opinions expressed. One of the chief of these, indeed the origin of all the disputes about ritual, was the 'Ornaments Rubric.' It should not have been impossible either so to amend the Ornaments Rubric as to extend ritual without licensing extreme practices, or to omit it altogether, leaving the 58th Canon, or 'the usage of the Church of England for the last 300 years,' to stand as the rule for vestments. The Commissioners would then have acted in an intelligible manner by substituting a plain rule for a mass of discordant law. They were not limited to the rubrics: they had full power to suggest 'alterations, improvements, or amendments in any other laws or customs relating to the matters aforesaid.' Having in their first and second reports disallowed certain ornaments and usages, and suggested a remedy for disobedience, they made no further suggestions; yet there is little doubt that if Convocation had been consulted at this point they would have reported

Fourth report of Ritual Commission, 1870.

The Ornaments Rubric left unaltered.

in favour of the 'established usage,' and that Parliament would have accepted and ratified this, on the motion of the Archbishops, as they would have accepted Lord Shaftesbury's bill if it had been supported by the bishops, or a similar bill if the Archbishop had introduced it. Where the Commissioners were not agreed, no proposal could be made; and thus the primary question was left untouched; the inaction of the bishops and of Convocation ensured the triumph of the party of innovation.

Athanasian Creed.

Another question of great interest and importance, among those which came before the Ritual Commission, was that of the use or disuse of the Athanasian Creed, and especially the anathemas contained in it. The objection to the clauses variously styled damnatory, minatory, or monitory, was of ancient date, and was expressed by Archbishop Tillotson in words often cited, that 'he wished we were well rid' of them; a sentence quoted with approbation by the wise and orthodox Bishop of Lichfield, John Lonsdale, who himself would never repeat these clauses when read in Church. Jeremy Taylor had also said: 'It had not been amiss if the final judgment had been left to Jesus Christ.' In the early part of the century, the disuse of the Athanasian Creed in Church services was very common. The laity never liked it; candidates for ordination looked upon it as a grievance; the example of the American Church in omitting it from the Prayer Book was pointed to; and some of the foremost Churchmen in the Universities, especially among the younger men, wished for its removal from the services of the Church. Early in the proceedings of the Ritual Commission, petitions were presented both for and against the use of the Creed in the services of the Church; one of which addressed to the Archbishop of Canterbury, was signed by upwards of 1200 clergy and laity, and by all the prominent High Churchmen. It purported that, in the opinion of the signatories, 'either to use the Creed less frequently in the Church service than at present, or to render its use in *any* case optional, or to omit the mistermed damnatory clauses, will be fraught with danger to the best interests of the Church.'

Many plans were proposed: to expunge the rubric headed

'At Morning Prayer,' leaving the *Quicunque vult* where it stands in the Prayer Book; to remove the Creed to another part of the Prayer Book; to make the use of it in public service optional; to make its use alternative with that of the Apostles' Creed; to diminish the number of times prescribed for its use; to permit it to be sung, not read, in cathedral and collegiate churches, but not in parish churches; to omit the anathema clauses; to print them with an explanatory note. The Commissioners in their fourth report recommended that no alteration should be made in the rubric 'At Morning Prayer' itself, but advised that the following note be added to that rubric:—'That the condemnations in this Confession of Faith are to be no otherwise understood than as a solemn warning of the peril of those who wilfully reject the Catholic Faith.'

Recommendations of the Commission.

Numerous expressions of dissent were appended to the report; Archbishop Tait rejoiced that an explanatory note should be appended to the Creed, but would have thought it wiser to decide that the Creed in question should not retain its place in the public service of the Church. Bishop Goodwin of Carlisle, Lord Ebury, Dean Payne Smith and Professor Jeremie were amongst the dissentients; the two latter remarked pertinently that the anathematising clauses, which originally stood at the end of the Nicene Creed also, were omitted there by the Council of Constantinople with the general consent of the Church. Other Commissioners objected to the explanatory note, on the ground that it put a construction upon the clauses which is at variance with their plain and grammatical sense; that the declaration that those who do not accept the statement of the Christian faith here set forth 'without doubt shall perish everlastingly' is false, and commits the Church of England to the doctrine, long since exploded, that error is a crime, punishable by eternal damnation; that the Commission had no authority to interpret doctrinal statements; that the recitation of the Creed violates Church principles, and by imposing a new Creed upon the Church, runs counter to the decrees of the Councils of Constantinople and Chalcedon, acknowledged by the Church of England as next in authority to Holy Scripture.

Archbishop Tait's opinion.

Other dissentients.

But the most powerful attack upon the Commissioners' conclusion was delivered by Dean Stanley in a note appended to the report, in which he expresses his conviction that it was the duty of the Commissioners to recommend the relaxation of the use of the Athanasian Creed in the services of the Church, 'for the avoiding of controversy and quieting of conscience.' He gave as his reasons, amongst others, the following: That the Creed was not composed by St. Athanasius, but was the work of an unknown author not earlier than the fifth century, perhaps much later; that the language is difficult, and misleading to a general congregation; that the use of anathemas has been generally discontinued in the public services of all Churches; that the condemning clauses assert a doctrine now rejected by the whole civilised world, and directly exclude from salvation all members of the Eastern Churches; that the liturgical use of this Creed and of those clauses especially has been condemned by some of the most illustrious divines of the Church of England.

Dean Stanley's opinion.

The wording of the explanatory note was open to objection, and illustrates the difficulty which besets the whole subject; the words of explanation are either a misstatement of fact, for the framers of anathemas meant what they said, or a statement of dogma, which did not lie within the instructions of the Royal Commission, for to explain doctrine is to define it.

The explanatory note.

Liddon took up the quarrel as one involving the integrity of the faith. He asked whether a provincial synod can tamper with the text of a Catholic document; and whether Churchmen can honestly go behind their adhesion to Article VIII. Archbishops, as in Arian times, were timid and imperious at once. Pusey said that the Creed was the object of attack on two grounds; its clear dogmatic faith, and that it asserts the importance of definite faith to all who can have it. The controversy was eagerly carried on; newspapers, pamphlets, and bishops' Charges were full of it; the Cambridge Divinity Professors wished for the disuse of the Creed, the Oxford Divinity Professors would hear of no change, and drew up an alternative note, which introduced new theological complications into the question; the bishops met in consultation, and the Archbishop gave notice

The controversy.

that he would bring the matter before Convocation, and would support the adoption of an explanatory note. He also wished that the question should be dealt with by Parliament. The result was that he was accused of fickleness and cowardice by those who had approved his expression of opinion in the report, of Erastianism by those who disliked or distrusted Parliament, and of favouring heresy by those who were opposed to any alteration of the formularies.

At this moment both Liddon and Pusey declared publicly that if the Creed were 'mutilated or degraded,' they would retire from the ministry of the Church of England; a resolution which they had already made known to Bishop Wilberforce. The Archbishop, in a Charge published soon afterwards, strongly condemned their action as 'unreasonable conduct.' The phrase was resented both by Pusey and Liddon; but they were well aware that their secession to the Church of Rome, or to the Old Catholic body, or to a sect of their own, would, in all probability, lead to a breach in the Church; and that their declaration was a capital fact which affected the whole situation.

Action of Liddon and Pusey, 1871.

The evangelical party generally desired that the Creed should be retained as a witness to the orthodox belief, but that the use of it in Church should not be compulsory. Many petitions were sent in: from the Scotch Episcopal Church against all change; from a number of Cathedral dignitaries, professors and schoolmasters; from a meeting of laymen called by Lord Shaftesbury, with nearly 7000 names. Pusey wrote an urgent protest to the *Times*; meetings were held in every sense; the newspapers reduced the petitions and speeches into convenient frames for argument: the result was to show that there existed among the clergy a bias against change, and among the laity a wish for some 'relief,' but no united demand for any particular form of relief. A great meeting was held in St. James's Hall, on January 31, 1873, just before the meeting of Parliament and Convocation, at which Mr. Hubbard presided, and speeches were made by Lords Devon, Nelson, and Salisbury, and other High Churchmen, and above all by Liddon, speaking both for himself and for Pusey.

Meetings and petitions, 1872, 1873.

The debates in Convocation in 1872 and 1873 were

lengthy, and more vehement than convincing. Many members wished for an explanatory note; some for a new translation from the best manuscripts; others, of whom Bishop Magee of Peterborough was the ablest advocate, said that the clauses were perfectly plain, and should be expunged. Explanations, he said, only led to the use of technical terms of theology, introducing metaphysical ideas, such as 'invincible ignorance,' 'wilful rejection,' and so on, which themselves required explanation. Some would leave the use of the Creed to the discretion of the minister, or to the direction of the bishop.

Debates in Convocation, 1872, 1873.

Archbishop Tait thought that the best way of avoiding discussion in Parliament was that the bishops should take the question into their own hands; but if the bishops hesitated to act, Parliament would act for them. To Bishop Magee, who had said that the words were to be taken in 'the absolute, literal sense,' he replied—'Very well: but we do not—there is not a soul in this room who does—nobody in the Church of England takes them in their plain and literal sense.' Stanley, in the Lower House, expressed the same opinion in nearly the same words. These words were remembered both by those who thought them blasphemous, and by those who were disappointed when after all the Archbishop accepted the policy of an explanatory note. But the general wish for an explanatory note was a sufficient justification of his speech; it expressed a change of opinion in the Church at large. Beliefs have in fact changed. Christians at the present time do not think that Christian or heathen men who disbelieve these doctrinal statements are *ipso facto* condemned to everlasting perdition, as was certainly the belief of those who put them in writing and appended anathemas to them.

Archbishop Tait's speech.

The debate in the Lower House was stormy, as was likely where the Dean of Westminster and the Archdeacon of Taunton met in conflict. At one point Denison was roused by Stanley to such a pitch of fury that he left the Jerusalem Chamber as a protest. Yet if he had been asked whether he believed Bishops Bull and Pearson to have perished eternally because they held language about the Trinity incompatible with that of the

Stanley and Denison.

Athanasian Creed, he would have said no. He spoke of 'a raid upon the Athanasian Creed'; protested against 'popular apprehension' being a rule for a synod of the Church; he himself would read the *Quicunque vult* thirteen times a year in his church, let them pass what laws they would, or turn him out of his benefices. '*Non haec in foedera veni*,' he exclaimed. It is an advantage to a man to be impervious to ridicule. An 'impetuous controversialist,' like Denison, who proclaims on the housetop what modest men keep to themselves, is accepted by the cautious as a champion. The Archdeacon was the incarnation of intolerance. All his opinions were as violent as his method of expressing them. He described himself as a man of strong opinions who never changed them. He was completely honest, courageous, and incautious, and commanded the respect of those who were most bitterly opposed to him. All ambiguity was blown away when the Archdeacon had spoken. All opinions, to him, were right or wrong, good or evil; all men were black or white, sheep or goats.

Denison prevailed for the time, and his proposal was embodied in the resolution which was carried (26 April): 'That the Confession of Faith, commonly called the Creed of St. Athanasius, continue to be used in its integrity in the public services of the Church, and that the rubrics referring to the Athanasian Creed be retained unaltered.'

Convocation decide to retain rubric, 1872.

The Canterbury Convocation debated in December 1872 a report from the York Convocation, and in May 1873 agreed to a synodical declaration, as follows:—

1. 'That the "Confession of our Christian Faith, commonly called the Creed of St. Athanasius," doth not make any addition to the faith as contained in Holy Scripture, but warneth against errors which from time to time have arisen in the church of Christ.

Synodical declaration of Convocation, 1873.

2. 'That as Holy Scripture in divers places doth promise life to them that believe, and declare the condemnation of them that believe not, so doth the Church in this confession declare the necessity for all who would be in a state of salvation of holding fast the Catholic faith, and the great peril of rejecting the same. Wherefore the warnings

in this confession of faith are to be understood no otherwise than the like warnings in Holy Scripture, for we must receive God's threatenings even as His promises, in such wise as they are generally set forth in Holy Writ. Moreover, the Church doth not herein pronounce judgment on any particular person or persons, God alone being the judge of all.' The declaration in this form was accepted by the York Committee; but later (1870), when it was proposed that it should be added to the Prayer Book as an explanatory note, the proposal was negatived by the Upper House of the Northern Province.

It is obvious to object to this explanatory note or declaration, that the damnatory clauses are included in the summary contained in the last clause of the Creed: 'This is the Catholic Faith': which itself reasserts the dogmatic statement contained in them in language that requires no explanation. A rubric added to or removed from the Prayer Book by authority of Parliament, without which no alteration of the Prayer Book is possible, would have been practically effective, but would certainly not have taken the form of the Convocation declaration. Such a declaration may have some authority with the clergy, but does not bind them, and does not touch the laity; and neither a synodical declaration of Convocation nor the recommendation of a Royal Commission has any legal validity unless embodied in an Act of Parliament.

Reasons for a revision of the English Bible.

The need of a general revision of the Authorised Version of the Bible had been long felt, and was acknowledged by Marsh in 1810, by Scholefield in 1832, and by Selwyn in 1850. Portions of the New Testament in a revised translation were published by Ellicott, Moberly, and others. The question came into prominence in consequence of the development of biblical criticism in the first half of the century, and the close examination of texts both in England and Germany; and Bishop Wilberforce, on February 10, 1870, moved in Convocation for a Committee of both Houses and Provinces to report on the desirableness of a revision whether by marginal notes or

Committee of Convocation appointed, 1870.

otherwise, in all passages where error existed in the text or the translation. He was anxious to preserve the style of the Authorised Version, 'the ring of familiarity and ancient reverence for that beautiful book', and that the text itself should be kept unaltered, and wished all corrections put into the margin. The Convocation of York, thinking the time not favourable, declined to be associated with the plan of revision; and it was therefore undertaken by the Southern Convocation alone.

Convocation of York declines to co-operate.

The Committee of Convocation for Revision reported on May 3 five resolutions; among them, that no new translation was contemplated nor any alterations except such as were necessary. The fifth resolution ran as follows:—

Report of Committee of Convocation.

(5) That it is desirable that Convocation should nominate a body of its own members to undertake the work of revision, who shall be at liberty to invite the co-operation of any eminent for scholarship, to whatever nation or religious body they may belong.

A Joint Committee of both Houses was now appointed, which nominated two companies of Revisers, one for the Old Testament and one for the New, containing the following names: for the Old Testament,—Bishops Thirlwall, Olivant, Browne, Wordsworth, and Hervey, and of the Lower House, Drs. Rowe, Selwyn, Jebb, and Kay; and for the New Testament,—Bishops Wilberforce, Ellicott (the Chairman), and Moberly, Deans Alford and Stanley, and Canon Blakesley. Besides these, a number of distinguished scholars were invited to take part in the work, among whom were Dr. Newman, Dr. Pusey, and Archbishop Whately, who declined to co-operate, and Drs. A. B. Davidson, Ginsburg, Hort, Kennedy, Lightfoot, Robert Scott, Scrivener, Tregelles, C. J. Vaughan, Westcott, and Aldis Wright. The Committee also, according to their instructions, opened communications with biblical scholars in America. Dr. Angus, President of the Regent Park Baptist College, conferred with Dr. Schaff, a pupil of Neander, at New York in August 1870, and two companies were formed in America for the revision of the Old and New Testaments respectively. It was arranged that the English

Two companies of Revisers nominated.

companies should submit their work, as it passed the first revision, to the American companies, who were in turn to transmit suggested alterations to the British companies. The comparative unimportance of these alterations is a high testimony to the thoroughness of the Revisers' labour.

Textus receptus.

The task which the Revisers undertook was one of great difficulty, as well as most important; for, before setting to work to revise the Authorised Version of the Bible, they had to ask and answer the question, 'What is the Bible?' In the case both of the Hebrew and the Greek Scriptures there was a conventionally 'received' text which held the field; and in both cases a long succession of scholars had laboured to clear this text from error. Among the most notable of them were, for Hebrew, Brian Walton, afterwards Bishop of Chester, editor of the *Biblia Polyglotta*, published in 1657, Van der Hooght (1705), Bentley (1720), Michaelis (1720), Kennicott (1760), Gesenius (1812), and Davidson; and for Greek, Erasmus (1516) and his contemporaries, Mill (1707), Bengel (1734), Michaelis (1750), and Griesbach (1775).

Massoretic text.

There are no very ancient MSS. of the Hebrew Scriptures; the oldest copy in the British Museum is believed to be of the ninth century after Christ. The accepted text of the Hebrew Scriptures, as it is universally printed, is descended from a single critical edition dating from some period between the fifth and the eighth century A.D., transmitted with all errors of transcription. This is commonly called the Massoretic text, *i.e.* conformable to the Massorah, or 'tradition.' The Massoretic text is the text as recited in the synagogue, with the traditional comment, or Massorah, written on the margin of each skin. This text has vowel points and other indications to represent the traditional mode of recitation; the synagogue rolls themselves have no signs of vocalisation or punctuation. The variations in the MSS. are very slight; for the text which was finally fixed by the Massoretic editors had been settled by the schools of Tiberias and Babylon in the first centuries of the Christian era. But though great care was taken to keep the text free from corruption, corruptions were sure to occur, and had occurred before the Massoretic recension, in an ancient literature, composed in

a dead language familiar only to the learned, referring to past conditions of national life, and preserved by a wandering and persecuted nation. Moreover, the existence of earlier forms of the text, ignored or obliterated by the Massoretic editors, is testified to by variants preserved in versions from the Hebrew, which date from an earlier period than the Massoretic text, such as the Samaritan Pentateuch (c. 400 B.C.), the Septuagint (third or second century B.C.), the Targums or Aramaic paraphrases made for synagogue use, the glosses and comments of the Talmudists, Greek, Syriac, and Latin versions, especially Jerome's second version, known as the Vulgate, which is taken direct from the Hebrew, and differed widely from the 'old Latin' version from the LXX, which was, in the first instance, revised by Jerome. Any of these documents may preserve earlier readings than those found in the extant copies of the Massoretic Scriptures. The Massoretic text, once settled, was guarded from alteration by the minutest regulations, extending to the exact number of letters, the spacing, alignment, and other details. The first edition of the Massoretic text was made by Jacob ben Chajim, and printed by his employer, Daniel Bomberg, at Venice in 1525. This was the foundation of the *textus receptus* used by the Translators of 1611 and the Revisers of 1870; and thus their *textus receptus* was, in almost all respects, identical with that current among the Jews from about the commencement of the Christian era.

Sources of various readings in Old Testament.

Jerome.

Uniformity of the Massoretic text.

As the number of ancient Hebrew MSS. is smaller, the variations fewer, and the literature generally contained in a smaller compass, except as regards patristic citations, the task set before the Old Testament company of Revisers, if they had aspired to recast the text, would not have been so gigantic as that taken up by the New Testament company; and it would have had fewer critics. But the Old Testament company decided to translate the Massoretic text as it stood, taking as the standard Everard van der Hooght's edition of 1705, and to print in the margin, not in the body of the text, any various readings of importance suggested from evidence external to that.

Van der Hooght's text adopted.

With regard to the Greek text on which their Revised

Version was to be founded, the New Testament company decided to make no alteration without the agreement of two-thirds of those present. It was not the business of the Revisers to construct a continuous and complete text; but so wide a comparison of documents was equivalent to the construction of a text, since they included in their survey not only Greek MSS., but ancient versions, and quotations of the Scriptures in early Christian writings.

Greek text of New Testament.

To settle the text of the New Testament was a matter of extreme difficulty, owing to the number of MSS. and other authorities, and the various opinions entertained by competent scholars as to their comparative value. When it is considered that there exist above a thousand MSS. of the New Testament, or various books of it, the worth of which depends upon evidence of date, place, workmanship, and many other details: that the evidence of early MSS. is confirmed or depreciated by that of numerous versions, all which must be taken into account; that the sacred books are quoted in the works of five centuries of Fathers, and were tampered with in the interests of discordant dogmas, it is clear that, in establishing the claim of one reading over another, the opinion of a Committee may be worth very little in comparison with that of a single scholar who knows all the ground. But though the science of textual criticism is firmly settled, the application of it is affected by the bias of scholars in favour of antiquity, or novelty, or a theory. Tischendorf was the German to whom the greatest deference was paid: and perhaps Tischendorf would have been a safer guide if he had not discovered the Sinaitic codex. The responsibility for this part of their labours was practically handed over by the Revisers to Drs. Westcott and Hort, whose pre-eminence was undisputed, and who had worked together for many years, and come to definite conclusions. But their learning, sagacity, and industry did not protect them, when ten years later (1881) the Revised Version was published, from a violent attack by Dr. Burgon of Oxford in the *Quarterly*, which leaves the reader disposed to conclude not that Drs. Hort and Westcott were specially fallible, but

Number and variety of MSS.

Versions and patristic citations.

Modern critical texts.

Westcott and Hort.

rather that no revision of the Greek text can be considered final, since the balance of authorities is so complex and delicate a thing, that no group of scholars, however they may agree upon principles, will at any time be found to agree completely in conclusions.

Dr. Burgon held the theory that the Greek *textus receptus*, which is based upon the text of Erasmus, was in all essentials the true text. He did not inquire too closely how the *textus receptus* came to be what it is. There was, strictly speaking, no 'received text' till Erasmus, for there was no printed text; and so long as books are written by hand, variations will multiply. 'The fundamental editions,' say Westcott and Hort, 'were those of Erasmus (Basel, 1516) and of Stunica in Cardinal Ximenes' Complutensian (Alcalá) Polyglott, printed in 1514, but apparently not published till 1522.' Erasmus's text, with some variations, soon prevailed over the others, and was finally established by Beza's recension of Robert Estienne's 'mainly Erasmian' text of 1550, which was printed by the Elzevirs at Leyden in 1624. The second edition of this (1633) contains in the preface the words *textum ergo habes, nunc ab omnibus receptum*; whence the term 'Received Text' arose.

Dr. Burgon's attack.

Earliest editions of the Greek text.

The *textus receptus* is not a bad text. Though uncritical, it represents in all essentials the text of the New Testament as it was read in the liturgies of the Greek Church from the fifth century, and preserved in Greek lectionaries. It had already, therefore, something of the character of a *textus receptus*, and has some claim to be considered as the authorised text of the Greek Church. If a text were formed by taking the readings of the mere majority of extant Greek MSS., it would be nearly identical with the readings found in the works of Chrysostom and other Antiochian doctors of the fourth and fifth centuries; and such a text, received by Constantinople from Antioch, eventually became in practice the standard New Testament of the East in the Middle Ages. A text very similar to that of Erasmus was therefore in possession, and deserved to be treated with respect, though not with the excessive deference paid to it by Burgon.

Elzevir *textus receptus* of 1624–1633.

The object of later critics since Erasmus was to work back to the originals, through copies earlier in date than the common text used by the Greek Church. In an uncritical age readings which varied from the common text read in church would be altered into agreement with it, and consequently more stress is laid upon readings which oppose, than readings which confirm the dominant text; since they may point back to a state of the text earlier than that of the conventional or ritual copies. Great weight is also given to the evidence of early versions, and to quotations in writers anterior to the fourth or fifth century, *i.e.* older than any extant MSS.

Critical reasons for improving on *textus receptus*.

The danger of the Revisers, as Burgon saw, was to lean too much upon 'early' authorities, and to trust too much to Westcott, Hort, and Tischendorf. Westcott and Hort's theory was that the Bible of the fourth and fifth century Fathers did not, in many doubtful passages, contain the true text. They divided the MSS. into three families: (*a*) the 'Syrian' or 'Antiochian' text (the basis of the *textus receptus*), represented by MSS. A and C, many other uncials, and the great majority of cursives; (*b*) the 'Western' Greek text, represented by MS. D (Codex Bezae, Cambridge), and certain early versions, prevalent in most of the countries of Europe; and (*c*) the 'Alexandrian' text, principally attested by Alexandrian Fathers and Egyptian versions.

Various 'families' of MSS.: Western, Alexandrian, Neutral.

The Western text.

The Alexandrian text.

The 'Neutral,' or 'pre-Syrian' text, preferred by Westcott and Hort, is so called because, though its origin is chiefly Alexandrian, it is also attested by Greek, Latin, and Syrian documents. This text Westcott and Hort found in its purest form in two MSS., the Vatican (B) and the Sinaitic (ℵ), which bore traces of being derived, at least in part, from a manuscript brought in the second or third century to Alexandria, and, therefore, was presumably founded on earlier and better MSS. than those followed by the Syrian. Westcott and Hort's opinion was, that the 'Syrian' text was comparatively late, and that the combined evidence of B and ℵ in any instance outweighed all others.

The Neutral text.

Vatican (B) and Sinaitic (ℵ) MSS.

The question was of a highly technical nature, and only to be solved by experts, nor by them except with a proviso in case of further evidence turning up, as had happened in 1859 in the notable instance of Tischendorf's discovery of the Sinaitic codex, a discovery which introduced a new standard of reference, and affected all conclusions. No existing manuscript on vellum dates from the period when books were written on papyrus; the papyrus books have almost entirely perished, but versions from Greek copies on papyrus may have preserved readings which have been lost in the earliest Greek codices on vellum. It is hard to exaggerate the value of versions in this respect. But the superiority of one version to another as a matter of evidence cannot be stated in exact terms, and the number of scholars who can take a comprehensive view, and judge with knowledge and without bias, is at all times very small. After all is said, no one can pretend that the most corrupt Greek manuscript does not give substantially the true text of the Scriptures.

Use of versions.

The Greek text being settled, the alterations accepted fell under four heads. (1) Alterations required by change of reading in the Greek; (2) corrections of incorrect renderings; (3) alterations for the sake of clearness; (4) alterations owing to the adoption of a different method of translation from that followed by the original Translators, viz. to use consistently, if possible, the same English word for the same Greek word, unless there was good cause to the contrary. Other points which were considered with great care were the Greek aorist perfect and imperfect tenses, the definite article, the pronouns, and the prepositions. The existing order of words and the use of archaisms were, for the most part, retained. Proper names were given as in the Authorised Version, unless there was strong reason for the contrary. Marginal notes were appended where required by difference of reading or inexact translation for the sake of English idiom, with a few explanatory notes, and some alternative readings. The use of italics, with its suggestion of a false emphasis, was retained. The text was arranged by paragraphs, not by verses; quotations from the poetical books of the Old Testament were arranged with reference to the Hebrew original; in punctua-

Various kinds of alterations.

Rules adopted by the Revisers.

tion the 'heavier' system of stopping was adopted, as being convenient for reading aloud. The titles of the books were left as in the Authorised Version.

The Revised New Testament was published in May 1881, and the Old Testament in May 1885, and both were at the same time presented to Convocation. After this, four Committees were formed for revising the Apocryphal books. In 1896 the Apocrypha was published, and the Old and New Testaments and Apocrypha, with marginal references. The work of printing was executed by the Oxford and Cambridge University Presses.

Revised Version published 1881, 1885.

The intention of the Revisers was to produce a version which should be 'alike literal and idiomatic, faithful to each thought of the original, and yet in the expression of it harmonious and free.' The experience of nearly thirty years has not entirely fulfilled this anticipation. The work as a whole is marred by small and even insignificant departures from the Authorised Version, which alter, and for the most part do not improve, the beauty of the familiar cadence. The insistence upon the distinction between aorist and perfect, the adherence to unvarying translation of word by word, the dislocation of sentences, the changes of particles and prepositions, above all, the great number of alterations made, amounting to 36,000 in the New Testament alone, irritate readers who are used to the Authorised Version; and the Revisers' work has been judged more by its shortcomings than its merits, which are great. It is no small advantage to have at hand a version which has high pretensions to verbal accuracy. It cannot be pronounced final, for scholarship has not been asleep since the Revisers began their work in 1870, and besides possessing a better text, another company of Revisers, if the work were taken in hand again, would be warned by any errors which their forerunners may have committed, and would probably print in the margin as alternative much that is now read in the body of the text.

Dr. Vance Smith. His admission to Communion, 1870.

In connexion with the revision of the Bible, two matters were much commented upon. One of these was the appointment of Dr. Vance Smith, a Unitarian, as a member of the New Testament company; the other, his admission to the Holy Communion on the

occasion of a special service at Westminster Abbey on June 22, 1870, notice of which had been given in a circular sent to all the Revisers, and at which nearly all were present, including Scottish Presbyterians and English Nonconformists.

It had been laid down by Convocation, as we have seen, that the Joint Committee were at liberty 'to invite the co-operation of any eminent for scholarship, to whatever nation or religious body they may belong.' The first term evidently pointed to Jewish as well as foreign scholars; the second could only by violence to its wording be construed so as to exclude Arians or Socinians. The announcement that these members of the revising companies were to sit and vote on equal terms with the rest called up Archdeacon Denison, who moved the addition of the words 'save only and except such as deny the Divinity of Christ.' The original proposition, it appeared, had been carried by a majority in a small meeting of the Committee. The Chairman, Bishop Wilberforce, who drafted the resolutions, had to leave the meeting in order to preside at the Bounty Board, the revision Committee were turned out of their room, and the proceedings were confused and hurried.

Archdeacon Denison.

Little objection was made at first. The *Guardian* (29 June 1870) approved the resolution as a 'very practical and striking answer to the difficulties which had been conjured up as to the practicability of co-operation in such a religious cause between Churchmen and Nonconformists.' But a violent storm arose when it was known that the Dean of Westminster had sent to each of the company of Revisers a general notice of a special celebration of the Holy Communion in Westminster Abbey, and consented to administer the Holy Communion to 'such of the company as shall be disposed to attend'; that Dr. Vance Smith, in compliance with this notice, had presented himself among the communicants in the Abbey, and had received the Sacrament at the hands of the Dean. On the same day the Hon. Charles L. Wood, President of the English Church Union, wrote to Archbishop Tait expressing his satisfaction that members of the Presbyterian Churches of Scotland, Baptists, Wesleyans, and others, should take part

Protest of the E.C.U., and correspondence with Archbishop Tait, 1870.

in the service, and that even a Socinian should recite the Nicene Creed and the *Gloria in Excelsis*; but thought that to concede to such persons the right of communion was 'a dishonour to our Lord and Saviour.'

The Archbishop replied on July 2 that as to repelling any intending communicant, excommunication was a formal judicial act, and that 'he scarcely thought it would have been right to repel . . . any individual who was willing so to join, and who had been thought fit to take part in the great religious work of revising the present version of the Holy Scriptures'; and Dr. Vance Smith wrote to the *Guardian* that he would not have gone to the Abbey if he had not thought he would be welcomed to take part in a commemoration service implying 'open profession of discipleship to Christ.' He did not profess to be a Socinian; he believed the Divinity of our Lord, as he found it declared in the New Testament.

Among the numerous protests against the 'Westminster scandal,' one of the most weighty was a Memorial signed by upwards of fifteen hundred clergymen, and transmitted to the Archbishop by Canon Carter. The Archbishop made a general reply to this and other memorials in a letter to Canon Carter, dated August 11, 1870. He expressed his regret 'that in the heat of controversy harsh words should have been published and uncharitable accusations made. The Archbishop thought that Vance Smith committed an error of judgment in being present; 'though I doubt not,' he added, 'he came with the best possible motives, and I trust may receive a blessing on his desire to consecrate his work as a Translator by a solemn act of worship.'

Other Memorials. General answer by the Archbishop.

The controversy was renewed at the meeting of Convocation in February 1871, when Bishop Wilberforce, who was himself the author of the original invitation to the Revisers, and Chairman of the Committee of Convocation, from which the invitation proceeded, proposed that the invitation should, in fact, be repudiated, and a long and heated debate ensued. On February 15, the Bishop's resolution was carried by ten to four, in a House of seventeen bishops, in the following terms:—

Debates in Convocation, 1871.

'That it is the judgment of this House that no person who denies the Godhead of our Lord Jesus Christ ought to be invited to join either company to which is committed the revision of the Authorised Version of Holy Scripture, and that any such person now on either company should cease to act herewith.'

This resolution, when sent down to the Lower House, caused great commotion. Dean Stanley denounced the resolution of the Upper House as a breach of good faith and a 'scandalous inconsistency and vacillation' on the part of Convocation, and as intrinsically absurd and impracticable. He spoke of the 'cruel and savage insults' heaped upon Vance Smith, and complained of the weakness of the bishops. The battle was fought on a wrong issue; the objection ought to have been made when the Committee of revision was appointed. As Archdeacon Denison had already pointed out in the *Guardian* of September 26, 1870, it was not the fault of the Dean of Westminster, or the bishops, or the Committee, but of Convocation, which opened the door to people of all opinions.

As in the Upper House the ascendency of Wilberforce, in the absence of Tait, carried the day, so in the Lower House the vigorous rhetoric and the strong personality of Dean Stanley prevented a mere acquiescence in the bishops' resolution. The Lower House, on February 17, finally adopted Archdeacon Randall's resolution by twenty-two votes to nineteen:—

'That this House expresses its deep regret at the offence caused by the receiving of the Holy Communion at Westminster Abbey by a member of one of the companies of revision who denies, and has publicly declared his rejection of, the Creed commonly called the Nicene; and after this expression of the feeling of this House, the House is persuaded there will be no repetition of such cause of offence.'

Archdeacon Randall's resolution passed.

One result of the controversy, a result much to be regretted, was that the Bishop of St. David's (Thirlwall), by all consent the most learned and among the very ablest bishops in the Church, resigned his place on a Board which, in his opinion, was discredited by an imputation of caring more for the

possible results of their work than for the literary good faith of their undertaking.

AUTHORITIES.—*Histories*, as in Chap. V. *Report of Ritual Commission*, 1867-1871; *Chron. of Convocation*; Burn, *Athanasian Creed*; Lumby, *History of the Creeds*; Kenyon, *Our Bible*; Westcott and Hort, *New Test.*; Denison, *Notes of my Life*. BIOGRAPHIES: *Pusey*, by Liddon; *Tait*, by Davidson and Benham; *Hort*, by A. F. Hort.

CHAPTER IX

ECCLESIASTICAL LEGISLATION

1867–1874

In 1868, Lord Shaftesbury, whose Clerical Vestments Bill was shelved, as we saw, in 1867,[1] brought in a new Uniformity of Public Worship Bill (9 July), founded upon the second report of the Ritual Commission which condemned the use of lights and incense as well as vestments. His bill provided that the Bishop might hear complaints on the spot and by deputy. Archbishop Longley expressed his willingness to support a bill brought in by the Government, in framing which 'the voice of the Church' should be heard, and quoted Tillotson in favour of legislation with consent of Convocation. Lord Chancellor Cairns advised the House to wait till the Judicial Committee had pronounced on lights and incense, a question now before them; and Lord Russell (how much changed from the author of the Durham Letter !) agreed with the Archbishop. It was decided that the question be not put. So ended another attempt at settlement by a sensible and honest man, who was neither a clergyman, nor a professional statesman, nor a lawyer.

Lord Shaftesbury's bill, 1868.

But Shaftesbury was used to disappointments and delays, and in the following year he attacked the ritualistic defences from another side. On April 15 he introduced a bill for the reform of the ecclesiastical courts, and said at the beginning of his speech, 'I am asked, "Why do you, being neither a lawyer nor an ecclesiastic, undertake the charge of such measures as these ?" My Lords, had I seen a lawyer or ecclesiastic disposed to enter

Lord Shaftesbury's Ecclesiastical Courts Bill, 1869.

[1] See p. 126.

on this duty, I should have shrunk from it altogether. But I saw none.' On every side, he said, was nothing but indignation and complaints, and the Church brought into discredit. Every clergyman might do as he liked. The bishops had neither time nor money to prosecute offenders.

It was to be regretted that on this occasion Shaftesbury took no counsel with the authorities of the Church; for the Lower House of the Canterbury Convocation appointed a Committee in February of this year to consider clergy discipline, and co-operation was desirable. The Committee reported in June, and recommended that as regards clergy discipline measures should be taken for securing, under licence from the Crown, the enactment 'by the provincial synods of the Church' of canons suitable for the times. In the case of proceedings in diocesan and provincial courts, if the charge involved matters of doctrine or of rites and ceremonies, the Metropolitan or Bishop should sit in his own court with legal advice; and preside in the court when judgment was pronounced. As regards appellate jurisdiction, the Committee represented that it is contrary to principles of law for a secular court to try theological issues and decide on doctrinal questions without consultation with divines. They recommend that if it should be decided that the final resort should be as now to a civil court, then the judges of the court should be instructed by clerical assessors.

Convocation report on clergy discipline, 1869.

Shaftesbury's bill, a moderate measure, reserved all existing rights and duties, and only provided a more efficient means of enforcing the law. It did not destroy the existing courts: its objects were to cheapen and expedite modes of procedure, to provide one judge for the two provincial Courts of Appeal, and proper judges for the diocesan courts, with juries to try issues of fact. Archbishop Tait gave his hearty approval to the principle of the bill; but as he had himself a Church Discipline Bill in hand, he proposed that the two should be referred to a select Committee. This was done; the Committee reported; there was then no time to proceed with the bills, and they were withdrawn for the present. Shaftesbury's feelings were expressed in his diary. 'Never again will I interfere in Church matters. All establish-

Shaftesbury's bill withdrawn.

ments are doomed, and perhaps wisely. . . . I have now, thank God, closed my ecclesiastical career; nothing shall again stir me to move bills in defence of the establishment.'

But in a few months the earl had forgotten his resolutions. One of his most effective qualities as a public man was his persistency in the face of opposition, and of indifference more disheartening than opposition. Undeterred by defeat, he brought forward another Ecclesiastical Courts Bill in 1870, not unlike that which with his active co-operation became law in 1874. The second reading of the bill (March 18) was hindered by an appeal from Lord Halifax to wait till the return of the Archbishop, who was absent from illness. Other lords made other objections, and Shaftesbury gave way, but reluctantly. His bill and the Archbishop's, he said, were on the same lines, and his had been given precedence. In July, when it was too late to go into committee, he only asked that the leading principle of the bill, the simplifying of procedure, should be affirmed. He thought 'a very sweeping change' was required: the Church must put her house in order; she had 'not an hour to lose or an affection to throw away.'

Shaftesbury's bill, 1870.

Public feeling on both sides was greatly excited by the decision of the Judicial Committee on February 23, 1871, in the case Hebbert *v.* Purchas, by which the eastward position and vestments were declared illegal. Shaftesbury returned to the charge. In his opening speech on July 9, he recounted the well-known and admitted grievances, the grievance of costs and consequent impunity, the grievance of dilatory pleas and tedious replications. The result of this state of things, he said, was that in twenty-eight diocesan courts, the officials of which received salaries amounting to £9000 a year, 38 suits were heard and 174 faculties were granted, for the most part merely formal, in the course of a year; whereas eighteen civil law judges despatched in the same time two thousand cases. Then there were the diocesan registrars, in receipt of £21,000, whose mechanical though necessary business could be transacted in a few hours per week. Lord Chancellor Hatherley contributed to the same debate the story of an incumbent who closed his church and obstructed the door by a dunghill, and whose

Hebbert *v.* Purchas, 1871.

ejection was only brought about after five years' litigation, at a cost of £12,000. If such scandals do not occur now, it may be put down rather to the growth of a public sense of decency than to improvement in the law.

Again the measure was postponed for want of time, and the same thing occurred in 1872. Shaftesbury's trouble, however, was not entirely thrown away: it prepared the way for legislation on both the subjects handled by him, reform of procedure and regulation of ritual.

Deputation to the archbishops, 1873.

On May 5, 1873, the Archbishops received at Lambeth a deputation representing 60,000 people, with a demand for the entire suppression of 'ceremonies and practices adjudged to be illegal.' In their answer, dated June 16, the Archbishops acknowledged the reality of the danger pointed out by the memorialists, the danger, namely, of a desire to subvert the principles of the Reformation, and promised their best endeavours to see that the law was obeyed. They did not, however, promise that the bishops would prosecute except in case of necessity, and the outcome of the pastoral was little more than an exhortation to peace and good-will.

A change of some importance in ecclesiastical law took place at this time in connexion with Lord Selborne's Judicature Bill of 1873. The Judicial Committee of the Privy Council, the final court of ecclesiastical appeal, had an ecclesiastical character in so far that archbishops and bishops, being Privy Councillors, were commissioned to sit upon it either as judges or assessors, this character being inherited from the Court of Delegates, in which full commissions, *i.e.* commissions containing common law judges, civilians, and Lords spiritual and temporal, might be granted in cases concerning the canon and ecclesiastical law.[1] Tait's own opinion, which he held strongly, was that a mixed court was desirable. His reasons for this opinion were that the change to a purely secular court was inopportune; that the mixed court expressed the mixed nature of the Church of England; that spiritual assessors, not being judges, might not be unanimous, or might be ignorant; that as things then were the lay judges would in almost every case yield to the spiritual judges if they were unanimous.

Lord Selborne's Judicature Bill, 1873.

[1] See Part I. 129, 130.

Lord Selborne's bill did not propose any change in the constitution of the Court of Appeal in causes ecclesiastical. But some High Church statesmen, including Wilberforce and Gladstone, wished to take away the quasi-ecclesiastical character of the final court. In their view, the evil of the mixed court was that the judges, instead of merely deciding whether in the particular case A or B had incurred a penalty under the law, involved the Church in the consequences of their decision by practically setting a rule for the future, and so modifying the doctrine of the Church. This was put forward by Convocation in this very year: it was the ground of the protests against the Gorham judgment, as later against the judgment in the cases of Williams and Wilson. Wilberforce and Gladstone would have approved of a committee of reference chosen from the bishops, and were engaged in making plans to form such a committee; or that the Judicial Committee should be empowered to consult divines.

Question of ecclesiastical judges.

On May 5, Lord Salisbury moved an amendment to the Judicature Bill, to the effect that ecclesiastical appeals, like other appeals, should be heard by the new Supreme Court. This amendment was withdrawn through the influence of the Archbishop, who said that the mixed tribunal was valuable in itself, and had represented the deliberate judgment of the Church in every stage since the Reformation; but it suddenly reappeared in the Commons on July 4, without any warning, on the motion of Gathorne Hardy, who moved it, probably at the suggestion of Bishop Wilberforce, and after consultation with Gladstone; 'The first and great object,' said Wilberforce, 'is to get the bishops off the Privy Council on these appeals. Their presence there gives to the court the look of an ecclesiastical court, and so commits us.'

Lord Salisbury's amendment.

The reasons given by Gathorne Hardy for his motion were that the Judicial Committee would be weakened as a court by the bill as it stood on the paper; that the questions on which ecclesiastical appeals were raised were questions not of altering the law or the doctrines of the Church, but of the interpretation of documents, and the presence of ecclesiastical persons gave the impression of a court of heresy, not a court of law;

Compromise accepted.

and that the wish of many of the clergy, and in particular of the Lower House of Convocation, was that it should be a purely legal court. The amendment was approved by speakers of weight from both sides of the House, Vernon Harcourt, Osborne Morgan, Beresford Hope, Walpole, and Gladstone himself, and was adopted without a division. After much discussion within doors and without, Lord Selborne accepted a compromise proposed by the Archbishop, that the Supreme Court of Appeal, when trying ecclesiastical appeals, should be assisted by archbishops or bishops, whether Privy Councillors or not, sitting as assessors, not as judges, and the Act passed in this form (36 and 37 Vict. c. 66, § 21), empowering the Queen to transfer, by Order of Council, appeals in ecclesiastical cases from the jurisdiction of the Judicial Committee to that of the new Supreme Court.[1]

Pusey's opinion.

This decision of Parliament, and the efforts of Lord Shaftesbury and the Lambeth petitioners, pointed to a wish for lay control in ritual judicature; and this wish was approved by Pusey himself, who wrote to Archbishop Tait some years later (21 November 1876), as follows: 'My conviction is that the court most likely to command acquiescence would be a purely civil court. It is not like a matter of faith, in which bishops ought to express the mind of the Church. . . . The quasi-ecclesiastical element in those decisions [i.e. *Essays and Reviews*, etc.] was what shook people's minds through and through. . . . I trust that the impartiality of the judges would produce a decision which, although it might please neither party, would yet bring peace.'

Parliamentary action necessary.

Convocation might have settled ritual by using the Letters of Business issued in 1872, which specially recommended ornaments and vestments to their attention. But no practical steps were taken; and since Lord Shaftesbury's lay action had been abortive, the conduct of affairs fell not unnaturally into the Archbishop's hands. Parliamentary action could not be delayed longer. The Ritual Commission had issued four reports with a view

[1] This part of the Act never took effect, and was repealed by the Appellate Judicature Act of 1876 (39 and 40 Vict. c. 59), under which archbishops and bishops are summoned according to a certain rota to attend the Judicial Committee of the Privy Council, as assessors only, and without a vote.

to the control of ritual by legislation; the dilatory debates of Convocation had the same object in sight; Lord Shaftesbury was knocking at the gate; the new Judicature Act altered the conditions of appeal. The subject had been so constantly before the world in late years, and had been so thoroughly discussed in the press and investigated in the law courts, that if discipline was at fault it could not be from want of knowledge. The debates on rubrics which took place in Convocation during these years had, strictly speaking, nothing to do with the Public Worship Regulation Bill, which was brought in by Archbishop Tait in 1874. That measure was intended to improve administration, not to make new laws. A change in the rubrics could not affect the machinery of the bill, nor would the passing of the bill alter the rubrics. But the same principles and interests were involved in both questions, and to some extent the same persons.

Action was delayed by the general election of January 1874; and a Ministry in which Mr. Disraeli was Prime Minister, of whom nothing could be predicted, and Lord Cairns, a rigid Ulsterman, was Lord Chancellor, was likely to pass a measure of a more decidedly Protestant colour than some of the bishops and a large number of the clergy would have wished.

Disraeli's Government, 1874.

The bill, as drafted by the bishops, set up in every diocese in England and Wales a Council or Board of Assessors, under the presidency of the bishop, consisting of three beneficed clergymen elected by the clergy, and five laymen elected by the churchwardens of the diocese, together with the chancellor, the dean, and the archdeacon, *ex officio*. To this council the bishop might, if he chose, refer any complaint of irregularity in discipline. The diocesan council was empowered to hear evidence, and report to the bishop, who, if the council advised it, must take proceedings by issuing such admonition or order as he deemed necessary; and this order was to have the force of law, subject to an appeal to the Archbishop; whose judgment, given on consultation with his Vicar General, after a hearing in person, was final. No appeal to the Queen in Council was granted.

Public Worship Regulation Bill, 1874.

The bill had been drawn up before Gladstone's resignation; and the bishops had intended to present it to Convocation at

the same time as to Parliament, if the dissolution had not upset all plans. It had now to be reconsidered from the point of view of a new Parliament and a new Ministry. The scheme was at once submitted to Disraeli, the new Prime Minister, Lord Chancellor Cairns, Salisbury, Shaftesbury, and others. During the early stages alterations were made in the draft. Objection had been taken to the permanent diocesan board of councillors, and at the motion of the Archbishop of York (11 May) it was proposed that the bishop, if he thought fit, should appoint three assessors, clerical or lay, *ad hoc*, to assist him in considering the case, as under the Act of 1840, and if necessary issue a monition, which should have final authority, unless the defendant appealed to the Archbishop. In that case the Archbishop was to refer the hearing, if so advised, to the Supreme Court of Appeal constituted by Lord Selborne's Judicature Act of 1873. The ultimate decision, therefore, would rest with secular judges, sitting with ecclesiastical assessors.

Alteration in the draft.

Some indiscreet person communicated the heads of the bill to the newspapers, and members of Convocation were startled by seeing the intentions of the Archbishops published in the *Times* before their counsel had been asked. This naturally caused irritation, and Archbishop Tait was much blamed, not for the irregular publication of the news, but for having taken his own line in drafting his own bill. Tait was admirably fitted by knowledge, ability, moderation, and temper to carry a great measure through Parliament. But he was contemptuous of trifles, and not always careful to understand that what seemed trifles to him were serious realities to others. His presbyterian bringing-up was never forgotten by opponents and detractors. He was attacked by the High Church party as a latitudinarian and an Erastian, and at the same time by the Evangelicals for not turning his bill from its proper intention, to make it a new code of ritual and an engine against the confessional. He felt keenly the want of support from the clergy, which made it necessary for him to lean upon secular help more than he would have wished. A misunderstanding with Convocation was perhaps unavoidable. It was impossible to wait, after Convocation had

Archbishop Tait and Convocation.

spent much time upon ritual without coming to a formal decision, till the Houses could debate, appoint committees, report, confer, and formulate conclusions. The Archbishop held strongly the view that Convocation had no 'privilege of concurrent action' with Parliament. He probably feared that if the bishops waited till Convocation was ready, Lord Shaftesbury would in the meantime pass whatever measure he chose. The High Church party, however, were under the impression that the intention of the bill was to give legal force to the judgment of the Judicial Committee in the case of Hebbert *v.* Purchas (1871), a judgment protested against, not so much on the ground of jurisdiction, as because the case was undefended, and because the court was thought by many to be biassed in its judgment. These things made the Lower House of Convocation restive, and little disposed to listen favourably to any proposals which came from the bishops, and from the Archbishop of Canterbury in particular.

Proceedings in Convocation, 1874.

On April 28, the Archbishop addressed the Prolocutor of the Lower House of the Canterbury Convocation on the subject of the bill then before the House of Lords; he reminded the clergy that the object of the bill was not to change those laws of the Church which were settled at the time of the Reformation: but to improve the administration of the law, so as to render it more simple, more expeditious, and less expensive. The Lower House in their answer expressed a wish that legislation in Parliament should be deferred till Convocation could make canons under licence from the Crown, and also 'obtain such statutable aid from Parliament as may be found needful.'

Public Worship Regulation Bill introduced by Archbishop Tait, 1874.

Meanwhile the Archbishop had introduced his bill in Parliament on April 20. He spoke of the practices objected to in Hebbert *v.* Purchas, such as censing, extinguishing and re-lighting candles, blessing and sprinkling palm branches with holy water, bowing down to a large metal crucifix, kissing a book, setting up confessional-boxes in a church, admitting acolytes with strange ceremonies, using 'altar cards' containing invocations to the Blessed Virgin and the saints. These and the like extravagances, he said, needed repression, but the ecclesiastical courts were slow and expensive. The costs in Sheppard

v. Bennett were £11,000, in Hebbert *v.* Purchas the costs of one side only were £7000. A summary procedure was necessary, if the proposed legislation was to take effect.

But the feeling against the bill was not diminishing; the resentment of the tractarian clergy rose high against the Archbishop; the Bishop of Lincoln (Wordsworth) complained of the manner in which the bill had been introduced; and Dr. Pusey wrote to the *Times* in support of the ritualist claims. As to the eastward position, Pusey said no legal decision could make black white, or 'before the table' the same as 'on one side of the table.' He confessed that for many years he did not know that any symbolical meaning attached to the eastward position; he thought now that the High Church clergy could not as a body abandon it without abandoning the doctrine which it symbolised. Criticising the judgments of the Judicial Committee, he rejected that in the Purchas case; the cause was undefended and the judges were biassed. He exposed the contradictions of the Judicial Committee judgments, the prosecution of High Church observance and condoning of evangelical neglect. So partial were the judgments of this tribunal that many Churchmen thought it a duty to disobey them. Wrong judgments increase offences: the decisions on ritual had multiplied ritualists. He concluded by calling upon the bishops to act as Fathers in God: then they would have dutiful sons. It was a triumph to the Ritualists that their old champion should approve not only their doctrine but their practice, though it was one which he did not himself greatly affect. He was content to follow where he had led. He was a pleader retained for the defence, not the prophet of a new message, as in 1840.

Dr. Pusey's letter to the *Times*.

A phrase used in debate by Disraeli about 'putting down Ritualism' contributed as much as anything else to set the High Church party and the Lower House of Convocation against the bishops. At a large meeting of the English Church Union, held on their anniversary day, June 15, a resolution was unanimously passed that 'the historical, grammatical, and true interpretation of the ornaments rubric . . . is this—viz. that the ornaments and ritual prescribed by that rubric are those

E.C.U. resolutions, June 15.

which, being previously in use in the Church of England, were not directly abrogated or modified in the second year of Edward VI.' A second resolution solemnly repudiated the charge of disobedience to the law of the Church of England imputed to those clergymen who disregarded the judgments of the Judicial Committee. Pusey, whilst cordially agreeing, gave a warning against the 'love of ritual for its own sake,' and pleaded for union among High Churchmen, reminding them of the early days of the Oxford Movement, when 'what one thought, all thought, what one said, all said,' until 'one now an extreme ultramontane [Ward] raised the storm which cost the Church one of her "two bright jewels," John Henry Newman.'

Such counsels were not likely to meet with much consideration from Parliament; and the Archbishop's bill was read a second time in the House of Lords without a division (11 May); the second reading having been postponed till that date, at the instance of Lord Cairns, in order that the Convocation of Canterbury might have time to report. The note of discord between clergy and laity had already been struck by the Lower House of Convocation, which passed (1 May) a resolution moved by Lord Alwyne Compton, recognising the necessity of speedy legislation, but regretting the inability of the House to approve of the provisions of the bill recently introduced into the House of Lords; and when a Committee of the Lower House was appointed to report upon the bill, they suggested amendments which entirely altered the character of the bill, and intimated that even with these amendments they were unable to approve the proposed legislation. The discussion in the Lords ranged widely. Archbishop Thomson dwelt upon the enormous cost of the existing procedure. Lord Shaftesbury declaimed against episcopal autocracy. You may have twenty-seven different decisions from twenty-seven bishops, he said; bishops are not judges, and ought not to be judges; and he quoted Lord Camden's saying that 'the discretion of a judge is the law of tyrants.' 'I am called a Low Churchman,' he said, 'and I dare say I am: but if I could have none but Low Church bishops appointed for fifty years, I would not give them this power.' Lord Salisbury defended 'illegal' practices, such as the introduction of hymns

The Bill in the Lords.

into the services of the Church. 'The fact is,' he said, 'you cannot sharpen your law so as to make the whole of this obsolete code observed; and in doing so you will strike High Church, Low Church, and Broad Church alike.'

The character of the bill was essentially changed by amendments moved and carried in Committee. The Government pressed upon the Archbishop the acceptance of amendments standing in the name of Lord Shaftesbury, which 'transferred to a single lay judge the office and authority of the two existing provincial judges, and directed that this judge should hear all presentations under the Act, without the intervention either of diocesan courts or of the preliminary Commission of Inquiry proposed by the Archbishops.' For the Archbishop to oppose these amendments would be to abandon the bill and leave the question of the regulation of public worship to be settled by Shaftesbury and Cairns. The Prime Minister's attitude was 'cautious and impartial,' but he was likely to support the Protestant interest. The bishops accordingly, having no support from Convocation and no hope from the Government, voted with heavy hearts for the Shaftesbury amendments. The Archbishop, however, was firm in opposing one amendment, which would have taken away the episcopal veto upon litigation; and the bill went to the Commons with this clause (25 June).

Amendments in Committee.

The conduct of it in the Commons was undertaken as a Government measure by the Recorder of London, Russell Gurney. He described the procedure under the Church Discipline Act of 1840,[1] with its multiplication of courts and appeals, as a cumbrous, dilatory, and expensive process. The present bill was purely administrative, created no new offence, did not touch doctrine, released the bishops from the necessity of prosecuting, and referred all to a single judge, to be appointed by the two Archbishops, who should take over the offices of Dean of Arches (Canterbury) and Official Principal (York) at a salary of £3000, payable by the Ecclesiastical Commissioners. The archdeacon, rural dean, or any three parishioners might present. The bishop might forbid proceedings, but in that case must give his reasons in writing. He could decide

The Bill in the Commons.

[1] See Part I. 131, 134.

summarily, if the parties agreed to accept his decision. Tait would not hear of any necessity for the concurrence of Convocation. Convocation had had Letters of Business in 1872, and had done nothing; and there was no constitutional precedent for a joint legislative power.

Gladstone came up from Hawarden to take part in the debate. He had, when resigning the premiership, resigned also his place as leader of the Liberal party, and remained aloof, like a sun behind clouds or a brooding thunderstorm, ready to change the political weather whenever his emotions became ungovernable, emotions always noble and sincere, but too tumultuous to be kept in, when a gate of egress was offered. In a long and eloquent speech he pleaded for variety of use. He thought that legislation of this kind ought to be settled by agreement between the heads of the Church and the heads of the State, not announced by newspapers; the assistance of authority is required in ecclesiastical legislation under parliamentary conditions. He did not believe that the bill was asked for by the bishops; the bill, as it came to the House, had been manufactured by 'the charitable contributions of lay peers,' independently of the bishops. The existing diversity of use was a natural growth, and ought not to be repressed. Different parishes wished for different modes of conducting the service. The clergy were not 'to be marched like the Guards in one uniform and one step by one word of command in one direction.' If all rubrical directions were to be exactly obeyed, all clergy must catechise in the afternoon, all baptisms must be after the second Lesson, all hymns must be put down, the Athanasian Creed must be read thirteen times a year in every church. As for the veto on litigation proposed to be given to the bishop, he said that the bishops were, as a rule, discreet men, but that one indiscreet bishop out of twenty-seven might set up a fatal precedent. He concluded by moving six resolutions, which embodied these principles, but did not point to any speedy legislation on a most important subject, with regard to which all but the extreme section of the High Church party wished to see action taken.

Gladstone's Resolutions.

Sir William Vernon Harcourt blew the Protestant trumpet, taking up the challenge on the fundamental principle of a

national Church, which is uniformity, not optional conformity; liberty, but not 'liberty for the clergy to do what seemed fit in their own eyes.' The feeling of Convocation, he said, was always opposed to all progress, as, for instance, in the first year of Elizabeth, when Convocation protested against all meddling of laymen in Church affairs. The revised Prayer Book of Elizabeth was the work, not of Convocation, but of William Cecil and Nicholas Bacon. A national Church, as he understood it, was a Church founded upon the will of the nation, as expressed in law. The national Church of England is the Church of a Protestant nation. What the nation required of Parliament was 'to reassert the unalterable attachment of the English people to the principles of the English Reformation.'

Sir William Harcourt.

On July 13, the debate, having been adjourned, was reopened by the Prime Minister. Mr. Gladstone's resolutions, he said, pointed to the abolition of the religious settlement which had prevailed since the Restoration. The object of the bill now before the House was not to attack any of the legitimate parties in the Church. Its primary object, he said, throwing up one of his characteristic rockets, was 'to put down ritualism,' that is, practices adopted by a portion of the clergy, 'avowedly symbolic of doctrines which the same clergy were bound in the most solemn manner to refute and repudiate.' He would always speak reverently of Roman Catholic ceremonies practised by Roman Catholics. 'What I do object to is mass in masquerade.' Phrases with Disraeli not unfrequently nor unsuccessfully did the work of arguments; and these two were not forgotten.

Disraeli's speech.

As a matter of tactics, Gladstone's appearance on the scene caused consternation among his followers, and gave Disraeli a good opportunity for discrediting him in their eyes; he was warned that not twenty men would follow him into the lobby, and finding himself deserted, he accepted the situation, and did not press his resolutions. When the Speaker put the question, there was no challenge for a division. 'Amid the roar of mixed cheers and laughter, the six resolutions . . . melted away into darkness.' Various amendments were proposed and

Gladstone's resolutions withdrawn.

carried, among them one giving a right of appeal to the Archbishops. In discussing this amendment Harcourt took exception to a speech of Lord Salisbury, in which he had used the expression 'a blustering majority'; and Disraeli, in taking up, described his own Secretary for India as 'a great master of gibes and flouts and jeers'; for Lord Salisbury had described the measure as 'a bill to give £3000 a year to the Dean of Arches, and to reprint certain minor portions of the Clergy Discipline Act.'

The bill passes.

The Lords rejected the Commons' principal amendment, and it seemed likely that the Lower House would throw out the bill altogether. But the personal ascendency of the Archbishop, aided by Bishop Browne of Winchester, prevailed, and the appeal to the Archbishop was left out of the bill when it passed on the 3rd of August.

Summary of the Act.

The chief points in the Public Worship Regulation Act are, that (1) the Bishop is debarred from initiating proceedings unless moved to do so by aggrieved parishioners; (2) the Bishop is not compelled to allow the Act to be put in motion; (3) the new ecclesiastical judge takes the place of the Canterbury Dean of Arches or the Official Principal in the Province of York; (4) there is no final appeal to the Archbishop, but the Supreme Court of Appeal is open to both parties; (5) the Act deals with procedure only, and creates no new offence; (6) if the Bishop's authority is not submitted to, the case goes before one court, instead of a series of three courts, before the final appeal to the Crown; (7) no penalty is imposed in the first instance, only a monition is issued not to offend a second time; if the person condemned is contumacious, suspension or deprivation may follow; and (though this was far from the intention of those who framed the Act) contempt of court might possibly be punished by imprisonment. When all was done, a new court had been added to those already existing, for no statute was repealed, and ecclesiastical cases might still come before the Consistory Court, the Arches Court of Canterbury or the Chancery Court of York, and the final Court of Appeal, and be dealt with under two statutes instead of one.

The comments of the press on the Act show that ritualism had as yet made no great progress in the country. The

Spectator of June 20 mentioned certain High Church observances, such as the eastward position, adoration of the consecrated elements, and the mixed chalice, which the bill would check, but said nothing about vestments or incense. In answer to Pusey's assertion, in his letters to the *Times*, written about this time, that ritual was forced upon the clergy by their congregations, that journal (16 May) suggested the appointment of parochial councils, which would make short work of ritualism. The lay journals also show that the laity in general had no great faith in bishops, and were distrustful of the clerical claims which found expression in Convocation. Convocation, according to the *Times* (1 May), was a body to consult on points, not a semi-legislative assembly; Convocation had nothing to do with a bill the object of which was merely administrative. On such questions as the rights and duties of Convocation, the limits of convocational action, the need of reform in Convocation if it was to be a reality, the need of a strong check upon disobedient clergy, the question of the episcopal veto on litigation, the relation of Church tribunals to State tribunals, and other topics of like nature, the common opinion of the laity of England has not changed essentially since the days of the Constitutions of Clarendon; and it was better expressed in these debates by Disraeli, Harcourt, Shaftesbury, and Salisbury than by Gladstone.

Comments of the press on the Act.

It was clearly understood that proceedings would soon take place under the Public Worship Regulation Act. The Church Association, which disposed of a fund amounting to some £50,000, had been founded nine years before (1865) with the intention of litigation, and it was likely that High Churchmen would move if opportunity offered, though the English Church Union did not propose to take action as a body. There was, however, little opportunity of legal action from that side, since the breaches of the law alleged against Evangelicals were chiefly matters of omission, in which a bishop's admonition would in almost every case be effectual; whereas the innovations brought in by the High Church party were avowedly intended to emphasise doctrine. Advanced Ritualists had not as yet adopted the distinct policy of ignoring the decisions of

Petitions for settlement of vestments' difficulty, 1874.

the Court of Appeal; and there was no reason to suppose that the newly-passed Act would be rendered inoperative by organised disobedience, which the bishops were unable or unwilling to check. Soon after the Act was passed, and before it came into operation, both parties in the Church petitioned the bishops and the Convocations; nearly 9000 clergy asking that the eucharistic vestments and other points of ritual should be authorised, 5000 desiring the contrary.

The Act was to come into force on July 1, 1875. On March 1, the archbishops and bishops, with only two exceptions, Moberly of Salisbury and Baring of Durham, issued a pastoral from Lambeth, acknowledging with thankfulness to God the zeal and earnestness of the clergy and laity of the English Church, both at home and abroad. They lament, however, the interruption of the sympathy and mutual confidence which ought to exist between the clergy and laity; one cause of which was the introduction of unauthorised or unwelcome changes in the mode of performing Divine service. Another evil in the Church was the refusal of obedience to legitimate authority, whether of the bishop or the law. The bishops also regret the dissemination of doctrines and encouragement of practices repugnant to the teaching of Holy Scripture and to the principles of the Church as set forth at the Reformation, and the growing tendency to exaggerate the symbolical meaning of rites and ceremonies. They demand that liberty should not degenerate into licence and self-will, and that the clear lines of separation between Rome and England should not be obliterated. In conclusion, the clergy are exhorted not to disquiet their congregations by novel practices and unauthorised ceremonies, and the laity not to be suspicious of the clergy. If all were ready to obey, command would be easy; but such a document as this failed to convey a command, because the authority of the bishops was not backed by coercive power, as those to whom it was addressed very well knew.

Pastoral of archbishops and bishops, 1875.

The Public Worship Regulation Act was never liked by the clergy; it was thought to be unjust in itself, and to have been inspired by the Purchas judgment; and the Ritualists, despairing of obtaining justice from the courts, united in disregarding the decrees of the

The Act on clerical discipline.

Judicial Committee, a court which lost favour in public opinion by the odium attaching to the imprisonment of offending clergymen. This state of things came to a head in the latest years of our period, viz. 1885 onwards, and amounted to a complete defeat of discipline in the Church; and the Commissioners of 1905 have no hesitation in attributing it, in a considerable degree, to the inaction of the bishops, especially in the diocese of London.

Convocation and ritual, 1875-1879.

The passing of the Public Worship Act in 1874, with little attention to the wishes of Convocation, caused that body to give serious consideration to the subject of ritual. Though slow, Convocation was not wholly inactive. On June 30, 1875, the Lower House voted on Canon Gregory's motion approving the surplice with stole or scarf and hood, and in preaching, surplice or gown, and no other vestment in any but a cathedral or collegiate church, without the previous consent of the Bishop. After much discussion, Convocation at length, in July 1879, and chiefly under the influence of Archbishop Tait, produced an amended rubric which embodied Canon Gregory's motion, but left untouched the reference to 'the second year of the reign of King Edward VI.,' and asserted the authority of Canons XXIV., XXV., and LVIII. of 1604. Such a rubric, if legalised, would be likely not to terminate, but rather to perpetuate the contest between old and new. If not legalised, it would only add one more expression of opinion to the mass of documents relating to the question of ritual. A rubric that admitted the whole array of inferential and historical arguments which had been expended upon the Ornaments Rubric, the Advertisements of 1566, the Canons of 1604, the Acts of Uniformity, etc., left all uncertain, and invited further litigation.

Instances of disobedience to rubrics.

Numerous instances of disobedience to rubrics are collected in the Ecclesiastical Discipline Commission reports issued in June 1906. Among matters the legality of which is doubtful, may be mentioned the use of eucharistic vestments, altar lights, lights carried in procession at the gospel and other parts of the service, the eastward position; less doubtful, genuflexion before the consecrated elements, incense, wafer-bread, the mixed chalice, the *lavabo*, the service of ceremonial ablution after the Sacrament, the

sign of the cross at the final blessing, holy water, blessing of palms, washing the altar with water and wine, the paschal candle, stations of the cross, the *sanctus* bell, and the addition of forms of service not found in the Prayer Book. Whole ceremonies with their ritual have been imported, the Mass of the Presanctified and the adoration of the cross on Good Friday, the service of *Tenebræ*, Benediction with the Sacrament, the observance of All Souls' Day, and the festivals of Corpus Christi, the Conception and Assumption of the Blessed Virgin, and the Sacred Heart; veneration of images, veneration of roods, the 'Hail Mary,' requiem masses and other prayers for the dead; services of different dates and different degrees of authority. Other breaches of usage, if not of law, were the celebration of the Communion without communicants, reservation of the consecrated elements, whether for the use of the sick or to be kept, secretly or publicly, in a tabernacle, the inculcation of fasting communion as a duty, the doctrine of sacramental confession, penance and absolution, the common use of the word 'Mass,' the multiplication of altars, and of private masses, the use of the Canon of the Mass, omission of parts of the English service, the singing of 'Agnus Dei,' the introduction of unauthorised private devotions such as the *confiteor*, the practice of elevation of the Sacrament, and the use of unauthorised manuals.

To these breaches of the law, assuming that to be the law which is laid down by legal authorities, may be added the disregard of the rubric which directs the use of the Athanasian Creed, the omission of the exhortations in the Communion Office, the saying of the words of administration to a row of communicants at once, the omission of part of the words of administration and of the ante-communion service, the use of evening communion, and of special services not ordered in the Prayer Book; the neglect of daily prayers, and of the service on Ascension Day and other holy days, putting the sacramental bread and wine on the Holy Table before the service, wearing of stoles and not wearing of copes. These later illegal acts and omissions are chargeable upon Latitudinarians and Evangelicals, as the former upon Ritualists; the total aggregate shows wide divergence from the practical uniformity of usage which prevailed before the

Disregard of rubrics by Latitudinarians and Low Churchmen.

rise of the Oxford Movement, and indeed for twenty or thirty years later.

The general position is summarised in the report of the Commission, issued in 1906. It is to this effect: Breaches of the law are more or less frequent, both of omission and of excess. The former are principally the neglect of daily service and of services for holy days, and the omission of the Athanasian Creed. None of these, except the last, can be said to have any doctrinal significance. On the other hand, the large and increasing irregularity in the direction of excess has significance 'rather in an apparent approximation to the forms of worship of the Church of Rome than in any necessary or essential connexion with Roman doctrine: and an advance in this direction has been stimulated by the organised and widespread action of a large and increasing number of clergy and laity holding the views which certain well-known Societies have actively promoted.' Such additions, when accumulated, 'change the outward character (say the Commissioners) of the service from that of the traditional service of the Reformed English Church to that of the traditional service of the Church of Rome'; and are 'unquestionably significant of doctrine condemned by the Church of England.' But in the collapse of discipline which followed the passing of the Public Worship Regulation Act of 1874 and the decision in Canon Carter's case, which confirmed the episcopal veto on prosecution, all appearance of uniformity and all regard to episcopal authority disappeared. Lord Halifax, the President of the E.C.U., in his evidence before the Commission, made his own position clear. His appeal is to the undivided Church. The bishops, if they claim obedience, and the ecclesiastical law which they administer, must submit to that standard. As to the definition of what is and what is not catholic, questions of historical evidence come in, and of these one man has as much right as another to judge. The authority which we seek eludes us.

Report of Ecclesiastical Discipline Commission, 1906.

Lord Halifax before the Commission.

The failure of discipline in the Church has many lessons to teach. To many moderate Churchmen, who neither wish to see the services of the Church become a mere imitation of the Mass, nor the bishops openly defied by

their clergy, nor the law-breaking clergy imprisoned without means of release, it has become apparent that the conditions of an Established Church require in principle, as well as practice, a large measure of lay control; that in the last resort the authority of Parliament and the law courts must prevail, or the Church become a voluntary association and make its own law; that, on the other hand, it is difficult, if not impossible, to draw the line between definition of dogma, with which the courts do not profess to meddle, and definition of the meaning of terms of dogma, the acceptance of which may be a condition of holding office in the Church; and that it is desirable that by consent of both parties a court should be set up which would command the obedience of all. Those who hold these views, probably a majority of the educated laity who are not committed to a dogmatic position, are aware that the dogmatic party have gained much since the early days of prosecution, from many causes, of which their own system of organisation is not the least efficient. Church history has been studied in the light of the mediæval contests between popes and kings, the limits of clerical and lay authority have been reviewed according to canon law, the rights of Convocation investigated, and its relations with the Crown and Parliament reconsidered.

Failure of discipline in the Church.

A sense of conscious churchmanship has been developed which was unknown in the early part of the century. To one party it appears that the foundations of religion are laid deeper by this new churchmanship, that the true doctrine of the Church is preached, and especially the doctrine of the Real Presence in the Eucharist, and that all public and private worship is subordinated to the holy Sacrifice offered by the consecrated priest, so that the Mass becomes again the central act of worship, and reservation of the Sacrament a thing to be desired and kept in view. To another party it appears that the results of science are being ignored, and that the Church is being led by the clergy away from the light of common sense and back into mediæval superstition; that a division has been set up between clerical thought and lay thought which is going deeper and deeper and banishing the laity from the churches; and that the condition of the Church

Conscious churchmanship among High Church laity.

can only be improved by the restoration of clerical discipline and episcopal authority, with the help and counsel of the laity.

Value of High Church work.

At the same time it is acknowledged by all that the self-devoted lives of men and women, clerical and lay, attached to the ritualist party, have produced and are producing noble results, especially among crowded populations, and that to alienate these workers, or to drive them to Rome, would be a grave loss to the Church. They form a great army of workers, and the Church cannot afford to lose them. The question before the Church, and especially the bishops of the Church, is how to restore discipline.

SUMMARY OF PUBLIC WORSHIP REGULATION ACT 1874

Stat. 37 and 38 Victoria c. 85 (7 August 1874)

§ 5. The Act does not, except where expressly stated, repeal or affect any existing jurisdiction.

§ 7. The Archbishops of Canterbury and York may, subject to approval of Her Majesty, appoint a barrister or a retired judge to be, during good behaviour, Judge of the Provincial Courts of Canterbury and York.

§ 8. The archdeacon of the archdeaconry, or a churchwarden, or any three parishioners may present for—

(1) illegal alteration in or addition to church fabric or furniture.

(2) use of illegal, or neglect to use prescribed ornaments.

(3) addition to, alteration or omission of prescribed rites and ceremonies.

§ 9. The Bishop is not bound to proceed, but if he does not, must state reasons in writing. He may by consent of parties hear and judge the case and issue a monition, which shall be final in the case, and subject to no appeal, but shall not, outside the case, finally decide any question of law.

The parties may join in stating a question, and require the Bishop to transmit it to the Judge, whose decision shall rule the Bishop's judgment.

If the parties do not consent to submit to the Bishop's ruling, the Bishop shall transmit the representation to the Archbishop, who shall require the Judge to hear it.

Security for costs is to be given by the complainant. The Judge shall pronounce judgment, issue monition, and make order for costs. Upon judgment or monition, appeal shall lie to Her Majesty in Council.

§ 13. The Bishop may inhibit for three months to enforce obedience, such inhibition to be relaxed on promise of the offender to obey the monition. At the end of three years' inhibition the benefice to be vacant.

AUTHORITIES.—*Report of Ecclesiastical Discipline Commission*, 1906. HISTORIES and BIOGRAPHIES: as in Chap. VIII.

CHAPTER X

LIBERALS AND EVANGELICALS

MENTION has been already made of Maurice's theology and the opposition which it encountered. This opposition came to a point when Maurice's growing influence in an important position at King's College gave notoriety to his teaching. He was appointed in 1846 as one of three Professors in the theological department of King's College, London. King's College was founded in opposition to University College;[1] the temper of the institution was orthodox, and a man appointed a professor of theology there might expect to be under observation, especially as the bishops accepted candidates for ordination upon certificates given by the Professors. Maurice knew that his position was insecure, as he wrote in 1849: 'in these days, no clergyman who thinks and speaks strongly, and not exactly in the prescribed mode of thinking and speaking, can reckon upon the tolerance of his superiors and equals for a long time. . . . Public bodies must not, as they say, compromise themselves. I always, therefore, regard myself as a tenant at will, who may be ejected at very short notice.'

Maurice appointed Professor at King's College, London, 1846.

Such a man, outspoken and careless of consequences, was not likely to be left unmolested; and a few weeks after the above words were written, he was attacked by the *Record* and other religious organs; and Dr. Jelf, Principal of the College, wrote him a letter containing a number of theological questions, to which Maurice returned a short answer, and no further action was taken. But in

Maurice attacked, 1849, 1850.

[1] See Part I. 174.

1850 Maurice was made the subject of an article in the *Quarterly Review*, written by Croker, which complained of the rationalising, pantheistic, and anti-dogmatic tendency of the teaching given at the Queen's College for women, and attributed much of it to Maurice. An 'uncomfortable feeling' about him arose. The Principal and other members of King's College disliked Maurice's connexion with Kingsley, whom they believed to be a violent incendiary and connected with notorious infidels. Maurice was advised to resign; and on his refusing to do so, a Committee was appointed, which reported in doubtful but on the whole favourable terms; and the Council dismissed the charge with a warning to use increased caution for the future.

His *Theological Essays*, 1853.

This storm blew over; but Maurice's enemies were watchful, and the publication of his *Theological Essays* in 1853 gave them, as he himself expected, an opportunity for a fresh attack. The Principal immediately wrote to him, stating that the book seemed to him 'to throw an atmosphere of doubt on the simple meaning of the word *eternal*, and to convey a general notion of ultimate salvation to all.' Maurice replied by repudiating the common acceptation of the doctrine of eternal punishment 'as inconsistent with the Gospel of Christ, with the distinction between time and eternity, . . . with the spirit of our formularies, with our Lord's own definition of eternal life.' The controversy was carried on with courtesy and fairness on both sides. Finally Jelf requested the Council to take action. The Council met on October 27, and expressed their sense of the 'dangerous tendency' of Maurice's opinions; and soon after the two Chairs held by Maurice in the College were declared to be vacant.

Maurice dismissed from King's College, 1853.

In the beginning of 1854, Maurice, Kingsley, and David Macmillan proposed the publication of a set of Tracts entitled *Tracts for Priests and People*. The time was past when Tracts could shake foundations, and the writers of this series had no leader of equal genius with Newman; but the new tracts were not without effect. Maurice was the fountain-head of thought and the suggester of schemes and methods, and gave to everything the impress of his own lofty character; Charles Kingsley, John

Tracts for Priests and People, 1854.

Mason Ludlow, Llewelyn Davies, Thomas Hughes, and Charles Kegan Paul were among the principal organisers and preachers of that scheme of 'Christian Socialism,' of which 'Parson Lot,' as Kingsley called himself, was for some time the most vigorous leader, and which took form in the establishment of the Working Men's College in Red Lion Square (1854). The history of this effort belongs rather to social than religious history; it was one of the symptoms of that larger philanthropic nineteenth century movement which gave an unselfish character to the struggle between labour and capital, and was a practical protest against the error of making self-interest seem a principle and almost a duty.

Working Men's College, 1854.

It was an unfamiliar thing to see clergymen and religious laymen putting themselves on the side of social revolution, openly glorying in the events of 1848, and consorting with Chartists and Socialists to reconstruct English society on the basis of a new industrial theory. Maurice and his friends differed from the economists, humanitarians, and revolutionists with whom they associated themselves, in abjuring all 'mere commercial ends'; they did not want to redress the relations between capital and labour, between parliamentary control and free association; their object was to set men free to live a natural life of brotherhood and dependence upon God. The term 'Christian Socialism' was deliberately chosen to signify that all who adopted it acknowledged Christ as the King of the world, and submitted to His teaching their endeavours after a better relation among classes. The band of enthusiastic young men who followed Maurice and organised trades unions, working men's colleges, and lectures and debates at Queen's Square, Bloomsbury, were disciples of Carlyle, Ruskin, and Tennyson, and in a secondary sense of Bentham and Mill; a young school, ready to take hopes and guesses for fulfilment, and unwilling to submit to authority. They made no profession of learning; Maurice was the only learned scholar among them; they had little to do with formulas of orthodoxy, but much with the conduct of life.

Christian Socialism.

It must be borne in mind that the ideas prevalent among the radical working men of England at the revolutionary period

of 1848 were anti-Christian, and that the knowledge of this caused the workmen's movement to be connected in popular opinion with the excesses of continental revolutionary communism. To stand like Phinehas between two parties and not be absorbed or crushed by either was a bold endeavour. It could not be entirely successful; if the Church, as Maurice held, is and must be communistic, and the State conservative of individual interests, the churchman who tried to reconcile these two opposites could hardly hope to convince each party that the existence of the other was necessary to its own well-being. But the attempt was made here, as Abbé Lamennais made it in France; and since this date all the schemes for the welfare of the British working classes in towns which have arisen owe something to the Christian Socialist movement and to Maurice and his fellow-workers. It may be added that from this time onward, the clergy of all denominations in London and the great towns have taken a firm position as friends of the poor and promoters of social improvement, and have worked hand in hand with philanthropists of every shade of opinion.

Permanent results of the movement.

In the *Quarterly* of September 1851 Croker made an attack upon 'Revolutionary Literature,' and upon Maurice and Kingsley by name, accusing them of preaching Jacobinism and Jacquerie under the name of 'Christian Socialism,' from a morbid craving for notoriety or a crazy straining after paradox in the press and from the pulpit. The *Edinburgh* of January 1851 reviewed *Cheap Clothes and Nasty*, by 'Parson Lot' (Charles Kingsley), and *Alton Locke*, in a more moderate style than the *Quarterly*, and from the point of view of the utilitarian philosophy and *laissez-faire* doctrine which then held the field. The gist of the article was that competition would not be ousted by association till human nature was remodelled. But that very remodelling of human nature has been the theme of all religions; the Gospel, Ruskin, Carlyle, and 'Parson Lot' all have the same aim. The Edinburgh reviewer preaches prudence, the Christian socialists unselfishness. The two are not incompatible.

Croker's attack upon Maurice and Kingsley, 1851.

Kingsley, when he was working among the artisans of London, proclaiming the common heritage of rich and poor

in the Gospel, preaching cleanliness of soul and body, declaiming in the *Saint's Tragedy* against false asceticism, and in *Yeast* and *Alton Locke* against tyranny and competition, was under thirty years of age, full of the sanguine hopes of youth, neither strengthened by experience nor hardened by disappointment. His language was often violent and exaggerated, his hopes of regeneration were extravagant, his philosophy and politics shallow; but his cheery presence gave a life and colour to the movement which Maurice alone could never have imparted. Kingsley had the poetic fire. It is refreshing, when reading one of 'Parson Lot's' Tracts, and perhaps wondering what after all he meant his teaching to be, to come upon a bit of scenery, or one of those perfect lyrics which give his poems a place among the best literature of the time. It was not so much what he wrote or preached, as his own bountiful nature, that helped on the work which he had at heart. Maurice and other friends supplied the fuel, but Kingsley kindled the flame.

Charles Kingsley.

Among the intellectual forces which affected religious thought in England at this period, we must reckon Matthew Arnold (1822-1888), who, as the eldest son of Dr. Arnold, was brought up in the nesting-place of religious liberalism. He carried out his father's principles in seeing the spirit through the letter: but whilst Arnold of Rugby was a man of almost oppressive seriousness, Matthew's raillery made those who misunderstood him believe that he was not serious. Arnold was already well known as a poet when his *Essays in Criticism*, published in 1865, gave him at once a place among writers of English prose, and established his reputation as a critic. It has been noticed that in one of these Essays, that on Heinrich Heine, he 'consciously or unconsciously delineated the mission which he had imposed upon himself,' the breaking up of 'stereotyped forms of thought.' His writings appealed to a religious and academic public, and by expressing the thought of the day and pointing forward, interested and instructed the universities and the clergy, whilst by their fine irony they irritated and stimulated opposition. He introduced into common use Heine's word 'Philistine,' and from 1869 to 1877 carried on his crusade against 'Philistia' in a series of brilliant works, half-way

Matthew Arnold.

between theology and journalism; in which he directed impartial satire against conventional religion, whether ecclesiastical, commercial, or nonconformist. The form of irony which he employed was that of an affectation of simplicity, tending to represent the Philistine as ridiculous, rather than as dangerous or contemptible.

His endeavours to recreate the teaching of St. Paul by the exclusion of dogma, and to construct a new theology by substituting for the idea of God that of 'a stream of tendency' (or 'the Eternal, not ourselves') 'which makes for righteousness,' were fantastic, and convinced few of his readers. His influence was in great measure, but not wholly, negative. He was an emancipator and a breaker of idols; but he taught the importance of clear thinking, and estimated conduct as 'three-fourths of life.' Like James Anthony Froude, he looked to a reconstruction of religion, but dissociated from theology; an ideal which may be realised by individuals, but has never united a community.

His polemical writings.

A less brilliant, perhaps a more solid student of religion, was John Robert Seeley (1834-1895), whose anonymous work, *Ecce Homo*, published in 1866, appeared at a fortunate moment, when the destructive liberalism which distinguished the middle of the last century was reinforced by writers and investigators of distinction, among whom Darwin, Huxley, Spencer, Greg, Lecky, and George Eliot were conspicuous. Gladstone, who reviewed the book, described the author's methods as tending to reconcile old and new, to proceed from half to whole, to do away with all intermediate testimony, and to 'ascend the stream of time, and go direct into the presence of Christ, as He offered Himself then to the ordinary Jew.' His opinion was that to read *Ecce Homo* in the spirit in which it was written would lead the reader from the Son of man to the Son of God.

Seeley's *Ecce Homo*, 1866.

Gladstone's articles did much to bring *Ecce Homo* into public notice. Its beautiful style and its obvious sincerity would have preserved it from obscurity: the religious fervour with which the book is instinct is in itself a proof that religion may exist independently of dogma. The personality of Christ fills the

'The Enthusiasm of Humanity.'

picture; the portraiture of Christ as the King of the spiritual kingdom is genuine and impressive. The famous phrase, 'the Enthusiasm of Humanity,' marked the book and describes it, and affords a test of religious motive which may be set in contrast with theological definitions. The author held out a hope of a sequel, to which the readers of *Ecce Homo* gave in anticipation the title *Ecce Deus*; but when it appeared sixteen years later (1882) the title was *Natural Religion*, and though the sequel had many of the qualities which distinguished the earlier book, it left the problem of religion and dogma unsolved. Neither Seeley nor Arnold could change into current coin the definition of religion as 'morality touched with emotion,' nor make intelligible to the mass of their countrymen such a conception as the combination of Hellenism, or 'the power of seeing things clearly,' with Hebraism, or 'strictness of conscience': but if the idea of sonship is added to that of the 'enthusiasm of humanity,' the transcendental element, which all allow is essential to religion, is not omitted. Arnold and Seeley, though they disturbed foundations, agreed in setting religion above all else, and so far weakened the forces which, since 1789, under the garb of liberation, were tending to irreligion.

When the ties of dogma are loosed, it is not easy to separate those who put religion first from those who put liberty first. Though Temple's theology might be thought unsound, no one doubted his religious spirit: Arthur Stanley (1815-1881) was more questionable. His way of thinking led him into difficult places, his hatred of intolerance made him unjust to the intolerant, and his natural pugnacity sometimes turned to quarrelsomeness. No theologian of his time was more rancorously attacked than Stanley, and no one defended himself more courageously. He contributed little to the learning of his time, but much to the effective knowledge of the Bible and of Church history. He was a layman in intellect, a Churchman by temperament and sentiment. By common consent he filled his place at Westminster worthily, and gave to it a new dignity and a new responsibility; and his friends knew that his fiery spirit was an indication of the warmth of his heart.

Stanley, Dean of Westminster.

Frederick William Robertson of Brighton (1816-1853)

should be mentioned with these men, because he believed in progress of thought rather than in authority and precedent. He was not a theologian, still less an impugner of revelation. He was above all a preacher; his character expressed itself in his sermons, and no sermons of the century, if we except those of Newman and Arnold, were more widely read or had a deeper influence upon readers of all classes. He also belongs to the group lately treated of, because his energies were especially directed to the good of working men, for whom he laboured to obtain opportunities of education and freedom of co-operation and organisation, whilst never losing sight of the Christian character of his mission.

Robertson of Brighton.

Benjamin Jowett (1817-1893), Tutor and then Master of Balliol, who shared with the other writers of *Essays and Reviews* the odium of attacking established ideas of truth, was in his time a great force in Oxford, and from Oxford in the world. Like Thomas Arnold he taught through his pupils. Never secure in opinions, for his critical instincts and his religious feeling drew him in opposite directions, 'he formed no school, and was not the leader of a party in religion or philosophy.' 'He stood at the parting of many ways,' said Leslie Stephen, 'and wrote "No thoroughfare" upon them all.' He was loved and admired by many generations of Oxford pupils, not because he was an ill-used man nor because he championed an unpopular though rising cause, but because he had taught them to think seriously as well as freely.

B. Jowett.

These men represented one side of religious life and thought, as Liddon and Wilberforce, or Ryle and Bickersteth represented others. They were lovers of the Church to which they belonged, and in which they had their place. We are to judge them for what they were, not for what they were not and could not be. Their influence on the thought of their contemporaries and successors cannot be ignored, any more than that of the Tractarian leaders against whom they contended.

Amongst the moderate Liberals of the Cambridge School who owed much to Maurice and his contemporaries, and whose thought and action, when they came to be known, had a wide influence, was Brooke Foss Westcott (1825-1901),

one of three friends, Lightfoot (1829-1889) and Benson (1829-1896) being the other two, who were educated under Prince Lee at Birmingham. Benson, though a brilliant scholar and student, was more a man of action than a thinker. Whilst he was making his mark in organising and putting life into everything that came under his hand, Westcott and Lightfoot were laying down the lines of a new science of biblical study, founded upon sound scholarship and the application of the comparative method of research to textual, and in the end to theological and ecclesiastical problems. Both men were deeply religious and worked with a clear purpose; and Benson was associated in spirit with all their designs. A fourth was soon added to this trio, Fenton John Anthony Hort (1828-1892), a pupil of Tait at Rugby, whose connexion with the work of Westcott and Lightfoot was more intimate still.

Westcott, Lightfoot, Benson, and Hort.

It is remarkable, when we note that Westcott went to Cambridge in 1844, and that from his earliest boyhood to his last day his deepest thoughts were concerned with religion, that the Oxford movement which shook the Church of England so strongly about that time stirred him and his friends so little. The temper of Cambridge is cooler than that of Oxford, and unfavourable to hero-worship. The tone of thought is that which is bred of study, not of emotion. All the friends had had their early bringing-up in evangelical ideas of personal religion, and three of the four had learnt from Prince Lee 'belief in words.' 'Belief in words,' as Westcott said, 'is the foundation of belief in thought and of belief in man'; a deep saying, not easily grasped by those who take the Mephistophelian view of words, or who hope to arrive at truth by the short cut of unexamined feeling. Here we may see the influence of Maurice also, whose attitude towards speculation might be expressed in the two words *serva depositum*; so firmly was he convinced that the first step in the development of doctrine is true interpretation of words, a doctrine diametrically opposite to that of Tract 90, though Maurice's critics said that he too could make words mean anything or nothing.

Westcott and Lightfoot wrote for scholars, not for the world; but when they were called to larger action they were

not found wanting. Of the four friends Benson had the widest range though not the surest flight, Hort had the most sceptical judgment, that of the intellectual Puritan who hates nothing more than premature generalisation. Benson's characteristic was enterprise, Westcott's steadfastness and prophetic fervour, Lightfoot's humility, Hort's truthfulness. Hort's weak health kept him in the shade and prevented him from taking part in public life. Benson climbed as high as a Churchman can climb, Lightfoot at Durham won the respect and admiration of masters and men in the fierce trade disputes of the time, and Westcott, his successor, was accepted by both as arbitrator in the quarrel of 1892. In all departments of a bishop's duty, besides the higher qualities of religious fervour, universal charity, and disinterestedness, the two men were worthy of each other, and of the place which they filled. Lightfoot instructed the world by his printed works on St. Paul and the early Church; Westcott and Hort did a great work towards settling the text of the New Testament; the influence of all was in the direction of sound scholarship and historical research in a region which had been too much given over to theory and sentiment. They were a notable band of friends, and their work survives them. If the Cambridge school of theology has helped both religion and science by honest dealing with words, by inquiring, that is, what words mean, not what they may be made to mean, Westcott, Lightfoot, and Hort deserve grateful mention in the history of religion and of the Church of England.

Some mention must here be made of the evangelical party, so prominent in the early years of the nineteenth century. From the middle of the century the ritualistic move-

The later Evangelicals.

ment occupied a larger space in public attention than the quiet agencies of the Evangelicals. But it must not be supposed that evangelical life stagnated. Such men as William Champneys in Whitechapel, afterwards Dean of Lichfield, and William Cadman of St. George's, Southwark, are instances of clergymen whose whole life was given to the poor and the miserable.

Besides the great and increasing work done by the Church

Missionary Society, carried on entirely in conjunction with evangelical organisation, other associations should be shortly mentioned here, which, besides the good they do in their special departments, agree in upholding the principle consistently asserted by the C.M.S., of brotherly union with other Protestant Churches all over the world. Among the missionary institutions of an evangelical colour the Colonial and Continental Church Society must not be forgotten. This Society was founded early in the century by Samuel Codner, a Devon man, who made a fortune in Newfoundland and was shipwrecked on his way home. He vowed that if he survived he would give his estate to God for the extension of His kingdom upon earth; and on his arrival in England he set up the Newfoundland School Society (1823). This society extended its outlook to other countries, and ultimately received (1861) the name of Colonial and Continental Church Society. The Society, which chiefly aims at bringing spiritual help to British emigrants in distant and unsettled stations, where few clergymen ever come, has also done good work for English-speaking sailors and artisans at European seaports and inland towns; and it has stations in all parts of the world, and especially in Canada.

Colonial and Continental Church Society.

The Evangelical Alliance also, though not a church society, exhibits the principles of the great party whose name it bears. It was founded in 1846, with the intention of drawing together into a union of prayer and brotherhood evangelical Christians of different denominations, at a common centre for meeting. The principle of the Alliance is that the bonds which unite are stronger than the differences which separate; the unity in love exists in the true Church of Christ which is His body, though locally and ecclesiastically divided.

Evangelical Alliance, 1846.

Home missions and seasons for special intercessory prayer are not confined to the Ritualists, but are warmly advocated by the evangelical body, if indeed they had not thence their origin. The Church Pastoral Aid Society was forward in promoting the movement for holding services in unconsecrated buildings. John Miller, Rector of Birmingham from 1846 to 1866, one of the

Home missions, etc.

foremost Evangelicals of his time, revived the practice of open-air preaching, which had for the most part been left to the Methodist 'Ranters'; and it was taken up by laymen and clergymen, as Thomas Richardson in London, and E. Bickersteth (afterwards Bishop of Exeter) at Hampstead. Another agency which was found to be successful was that of evening communions. This is at the present day regarded as a Low Church innovation, and protested against as contravening the ancient rule of the Church as to fasting communion. The practice had its commencement at Leeds and at a meeting at which Dr. Hook presided; Miller at Birmingham adopted it in 1851, and Champneys spoke of his evening communions at Whitechapel as 'a greater blessing than all besides to his flock. . . . It has enabled so many to come to that blessed ordinance who could never come before.' And services of this nature are attended by hundreds of communicants.

Evening Communions.

The Evangelicals have always upheld the principle of lay help in missions, parish work, and every kind of religious organisation. Mission work in particular has been fortified by an army of evangelical laymen, among whom old Indian civilians as well as officers in the Navy and Army are conspicuous, as the annals of the C.M.S. and the history of the Indian Mutiny amply witness. The employment of lay assistants in every part of the work of evangelising has been a consistent aim of the evangelical party, and is a protest against sacerdotalism.

Lay helpers.

A movement in the evangelical section of the Church which has been much noticed is that known as the Keswick Convention. In July 1874 a meeting was held at Broadlands, near Romsey, Lord Mount Temple's seat, for the purpose of discussing the Christian life as to maintained communion with God and as to victory over all known sin; and this meeting was followed by others at Oxford and elsewhere. The new teaching was the doctrine of the 'single life,' as opposed to the 'dismal heresy' that the Christian life must be a succession of falls and failures. Christian attainment, not Christian endeavour, is its motto. From 1875 onwards meetings have been held every year at Keswick, which partake somewhat of a revivalist character;

Keswick Convention.

and the movement, which at first was not approved by Ryle, Close, and M'Neile, won confidence, and has met with great and increasing success.

Lord Shaftesbury.

The pillar and bulwark of the Evangelicals for fifty years was Anthony Ashley Cooper, seventh Earl of Shaftesbury (1801-1885), whose name stands above all others in the nineteenth century as a practical Christian philanthropist. He was, in his own words, essentially and from deep-rooted conviction an 'Evangelical of the Evangelicals.' His reform of Lunatic Asylums (his first public work), his bills for regulating labour, especially of the young, in factories, mines, and collieries; his care for chimney-sweepers and other destitute children in London, for whom he introduced refuges and training ships, ragged schools, and shoeblack brigades; his part in the improvement of workmen's dwellings and missions to seamen, all speak of his indefatigable love for the poor; and though he cared much for the supply of their material wants, he cared much more for their spiritual welfare. It was in great measure his doing that the services were set up in theatres and other unconsecrated places, which caused so much stir in 1857; a work which Bishop Tait was bold enough to characterise as 'one of the best works that had been undertaken since he entered upon his office,' and afterwards to defend in Parliament; and which led to the opening of cathedrals and other large churches to evening congregations. Anglican clergymen and nonconformist ministers met at these services, and strengthened the bond of union furnished by such organisations as the Young Men's and Young Women's Christian Associations, the Navvy Mission, and the Railway Mission, which carried on the tolerant tradition of the Bible Society, the Religious Tract Society, and the London Missionary Society.

Shaftesbury's bishops.

The accession to power of Lord Palmerston in 1855 made a change in the affairs of the Church. His cousin Shaftesbury expected his ecclesiastical appointments to be 'detestable.' But Palmerston was wise enough to consult Shaftesbury, and for the greater part of nine years Shaftesbury was 'bishop-maker.' Bishoprics hitherto had commonly been given for family connexion, for learning, as a sequel to university dignities, or for political

reasons. Palmerston, under Shaftesbury's influence, gave them for religious reasons, and a glance at the list of his appointments shows that he did not abuse his opportunity by choosing them entirely from the evangelical section. Tait may be called a Broad Churchman; Ellicott, Jacobson, and Harold Browne were High Churchmen; Thomson, Longley, and Philpott moderate Churchmen; Waldegrave, Baring, Jeune, Pelham, Villiers, Bickersteth, and Wigram were Evangelicals.

Bishops Ryle of Liverpool and Thorold of Winchester.

The evangelical party did not favour the revival of Convocation, nor the establishment of church congresses. They preferred private and local associations and evangelical unions, at which spiritual rather than ecclesiastical problems were discussed; but by degrees, and much under the influence of John Charles Ryle, afterwards Bishop of Liverpool, they attended the congresses. Ryle was a strong Protestant, but not a bigot. His views on church reform might almost be called revolutionary. He was a practical man; his tracts were not speculative, but went to the point. He did not aspire to be a leader, but proved himself so indispensable to the leaders of his party that he was reckoned among the chief of them, and became one of the most influential speakers for all causes in which the evangelical body took interest. Ryle was a great builder of churches, and deserves praise rather than blame for having preferred finding church accommodation at Liverpool to pushing on too rapidly the scheme for building a cathedral. Another evangelical prelate who deserves mention is Anthony Wilson Thorold, Bishop of Rochester and then of Winchester, a hard-working bishop, and a wealthy man who spent money freely for public uses.

Protest of the Evangelicals against ritualism.

The Evangelicals did not cease to protest against the growth of ritualism, but they gave up the attempt to coerce by prosecution. The prosecution of Bishop King in 1889 was the last occasion on which the Church Association appeared in that character, with the general approbation of the party.

AUTHORITIES.—*Tracts for Priests and People.* F. D. Maurice, *Theological Essays*; Balleine, *History of the Evangelical Party*; Harford, *The Keswick Convention.* BIOGRAPHIES: *F. D. Maurice*, by Maurice; *Hort*, by Hort; *B. Jowett*, by Abbott and Campbell; *Shaftesbury*, by Hodder; *Matthew Arnold*, by Saintsbury.

CHAPTER XI

'ESSAYS AND REVIEWS'

1860–1869

THE history of Christian opinion from the earliest age is a history, says one party, of a Judaic attempt to confine belief to a formula and imprison the search of truth within artificial bounds; a history, says another, of the contest between truth and error, faith and heresy, in which the Church has acted the part of a defender of truth exposed to the continual assaults of heretics. From one point of view those do right who maintain the deposit of faith; from the other, those who try to correct and complete old conclusions by new. The quarrel, with the imputation of motives which attends it, is as old as human history, and there is no prospect of its termination. The present tendency of all religious communities is in the direction of toleration; whether this is due to the external conditions of modern life, which make it seem impossible not to keep company with heretics, or to a growing opinion that religious doubt, if sincere and conscientious, is not criminal, and that the eternal penalties which the Church attaches, as in a statute book, to unauthorised intrusion into the field of theology, are arbitrarily imposed. Both sides affirm that truth need not fear inquiry, and that the search for truth is praiseworthy; both sides agree that to interfere with accepted belief involves a grave responsibility, and should be undertaken only by those who have studied, and who inquire under a sense of responsibility.

Toleration of error.

But besides and within this responsibility, which is universal, there is a further responsibility attaching to those who have explicitly subscribed or implicitly assented to the doctrines of a particular community; and the ethics of subscription and conformity are still in debate between two schools. One of these schools holds that the Catholic faith, whether conceived as fixed from the first and expressed in the Bible, or as developed in the history of the Church, or as formulated in the Bible, the Prayer Book, and the Articles of the Church of England, is a limit which those who transgress break the terms of their contract, and if they are honest should leave the communion within which their contract lies. The other holds that truth was not laid down once for all, but is perpetually being discovered; that searchers for truth should make it their object to aim at the correction and enlargement of formulas which have grown too narrow; and that since the enlargement of formulas is a difficult task, it is lawful in the meantime to work from within as well as from without, to construe formulas broadly, even to ignore those which are obsolete and would not be re-enacted now, and to contend against the authority or tyranny of an uninstructed age, expressed in language which is no longer vital. Says Carlyle, addressing the students at St. Andrews in 1867, 'the sentinel who deserts his post should be shot'; says Mill, 'I hold entirely with those clergymen who elect to remain in the national Church, so long as they are able to accept its Articles and confessions in any sense and with any interpretation consistent with common honesty. . . . Almost all the illustrious reformers of religion began by being clergymen, but they did not think that their profession as clergymen was inconsistent with their being reformers.' Which is right?

Responsibility attached to subscription.

Carlyle and Mill.

In the spring of 1860 seven friends, men of mark among liberal Churchmen, published a collection of papers with the unpretentious title *Essays and Reviews*. The authors were Frederick Temple, Head Master of Rugby; Rowland Williams, Fellow of King's College, Cambridge, and Rector of Broadchalke, Wilts, a brilliant classical scholar, orientalist, and theologian, but hot-

Essays and Reviews, 1860.

headed and contentious; Baden Powell, Savilian Professor of Geometry in the University of Oxford, a man of science and of wide literary culture; Henry Bristow Wilson, one of the four Tutors who condemned Tract 90 in 1841, Vicar of Great Staughton, Hunts, and Bampton Lecturer in 1851; Charles Wycliffe Goodwin, a layman, a Cambridge scholar, and learned Egyptologist; Mark Pattison, Tutor, and later Rector, of Lincoln College, Oxford, one of the keenest intellects of the University; and Benjamin Jowett, Professor of Greek, who was looked upon then and for many years after as the leader of liberal Christian thought at Oxford.

The majority of the names came from Oxford, where strong opinions and sharp contrasts are more native to the soil than at Cambridge. The Cambridge writers, Williams and Goodwin, did not represent their University as Grote, Maurice, Donaldson, Thompson, Lightfoot, or Westcott would have done; though it would have been hard to bring some, or any, of these into line for such an enterprise, for Cambridge is traditionally cautious. The Oxford names were representative of the liberal party in that University, and Arthur Stanley would have been added to the number, if he had approved of the scheme: but he thought it ill-judged and inopportune, though he sympathised with the object. That object, as described by the essayists themselves, was to promote the free discussion of controversial subjects in theology, with regard to which reticence was generally thought to be becoming, 'subjects particularly liable to suffer by the repetition of conventional language, and from traditional methods of treatment.' 'Is it possible,' wrote Jowett to Stanley in 1858, 'to do any good by a system of reticence?' The essayists must have known that their enterprise would be unpopular, and would meet with sharp criticism from the orthodox. The times were full of attacks upon Christianity itself or its traditional forms. The names of Strauss, Renan, Mill, Darwin, Huxley, Matthew Arnold were in the ascendant, and a new Oxford school was rising in the place of the Oxford school of 1833. The growth of opinion which alarmed the defenders of the Church at this moment was not so much that which attacked established beliefs from German universities or the laboratories

Object of the essayists.

of science, but that which was proceeding within the Church and in the sanctuary of Oxford. *Essays and Reviews* was, like Tract 90, a claim to hold new and dangerous opinions within the pale of the Church of England.

The writers were well aware that they were uttering a challenge. Jowett, in the letter quoted above, says, 'a notice will be prefixed that no one is responsible for any notions but his own. . . . We do not wish to do anything rash or irritating to the public or the University, but we are determined not to submit to this abominable system of terrorism, which prevents the statement of the plainest facts, and makes true theology or theological education impossible.' It might have been expected that the essayists would have written on a well-considered plan, and as a united committee. But they distinctly disclaimed this. 'The authors of the ensuing Essays,' they write, 'are responsible for their respective articles only. They have written in entire independence of each other, and without concert or comparison.' We may wonder at the imprudence of the writers who, whilst giving their names to a joint publication which they deliberately intended as a protest against reticence on controverted topics, imagined that responsibility for what was put out by all would not come home to each, and were so careless as not to read each other's compositions. Even at the first, the association of the Head Master of Rugby with the other writers was confessed by himself, to his own Sixth Form, to have been a mistake; and many years passed, with some humiliation to himself, before it was condoned.

Joint responsibility disclaimed.

The substance of Dr. Temple's Essay, entitled 'The Education of the World,' was the expansion of a sermon which, when preached before the University of Oxford, was found unorthodox only by those whose senses were exercised to perceive unorthodoxy in all that came from a man of his school. The main argument of this Essay is that in the divine education of humanity, the growth of which is conceived, somewhat in the positivist mode, as analogous to that of a single human being, the chief moral element is to be found in the 'identification of the Bible with the voice of conscience.' 'This principle of private judgment . . . puts conscience between us and the Bible, making con-

Dr. Temple on 'The Education of the World.'

science the supreme interpreter, whom it may be a duty to enlighten, but whom it can never be a duty to disobey.' When conscience and the Bible appear to differ, the pious Christian immediately concludes that 'he has not really understood the Bible'; in other words, said opponents, the ultimate judge is neither the letter of the Bible nor the voice of the Church, but the verdict of the individual conscience; the Bible tending 'to resolve itself into enlightened reason, and leave the spirit of man the sole arbiter of its own duties.'

Rowland Williams on Bunsen's *Biblical Researches.*

Dr. Williams, in his review of Bunsen's *Biblical Researches*, took the line that there are many elements in revelation, and that records, poetry, legend, prophecy, morals, and doctrine have a historical character which ought not to be ignored; that the idea of revelation must be made wider and deeper; that it is not confined to Sinai and Judæa; that the moral value of miracles outweighs the wonder; that revelation acts through normal channels ordained by Providence; that, in short, to use Carlyle's expression, the Natural is the Supernatural. This thesis is worked out with much freedom, in fervent and sometimes aggressive language, as of one who, in his onslaught upon literalism, had a zeal for the Lord. Such expressions as 'the fierce ritual of Syria, with the awe of a Divine voice,' applied to the sacrifice of Isaac, 'the sacerdotal element moulding the form of the history,' the distinction drawn between the 'moral' and the 'directly predictive' element in prophecy, especially the rationalistic interpretations of Messianic prophecy, and remarks upon sacramentalism and sacerdotalism, gave more offence than almost any other part of the volume. Even Stanley disliked the 'flippant and contemptuous tone of the Essay.'

Powell on 'The Evidences of Christianity.'

Powell's Essay on 'The Evidences of Christianity,' in dwelling upon the religious rather than the historical evidences of Christianity, discussed the question of miracles in an entirely negative spirit.

Wilson on 'The National Church.'

Wilson, in his Essay on 'The National Church,' claimed freedom of opinion for clergy as well as laity, declaring in favour of the complete liberty of the English clergyman, as far as regards opinion privately entertained, and maintaining that in subscription

to the Thirty-nine Articles 'the strictly legal obligation is the measure of the moral one.' His objects appear to be to commend the 'ideological' method of Scriptural interpretation, to expound the theory of a 'multitudinist,' *i.e.* comprehensive, National Church, and with this view to recommend that subscription to formularies should no longer be required.

Goodwin's 'Mosaic Cosmogony' may be judged by the often-quoted expression, 'the speculation of some early Copernicus or Newton.' It is a sign of the advance of science and the diminution of hostility to science, that few nowadays would scruple to subscribe to the final sentence of the Essay, viz., that the Mosaic account of the Creation is 'not an authentic utterance of Divine knowledge, but a human utterance which it has pleased Providence to use in a special way for the education of mankind.' But at the time when it was written the old dilemma, stated by Bishop Wilberforce in the *Quarterly*, seemed sufficient, that the Mosaic cosmogony must either be 'a revelation from God Himself,' or that to represent it as such is a 'monstrous falsehood'; though Stanley in the *Edinburgh Review* concluded that the question falls to the ground, since the reception of the Copernican system has 'destroyed the literal interpretation of the sacred text.'

Goodwin on the Bible and science.

Pattison's Essay on 'Tendencies of Religious Thought in England, 1688-1720,' exposes the futility of ancient attempts to find a compromise between authority and reason, but recommends thinkers of his own age to undertake 'a perplexing but not altogether profitless inquiry.' So negative a conclusion is not encouraging to seekers of truth; and Pattison as well as Jowett, who closed the series, might have remembered that if they held the sword of criticism with the right hand they should all the while be building with the left.

Pattison on 'English Religious Thought.'

Jowett's Essay, which is the most remarkable of all, and was as hotly attacked as any, laid down a single comprehensive precept as the rule for reading the Bible, '*Interpret the Scripture like any other book.*' 'The first step is to know the meaning.' 'No other science of hermeneutics is possible but an inductive

Jowett on the interpretation of the Bible.

one'; and 'Scripture has one meaning—the meaning which it had to the mind of the prophet or evangelist who first uttered or wrote it, to the hearers or readers who first received it. . . . We have no reason to attribute to the prophet or evangelist any second or hidden sense different from that which appears on the surface.' Scripture is, like any other book, to be interpreted from itself; attention must be paid to personal, local, historical, and linguistic points of character; yet not without a sense that there is throughout the Scripture 'the witness of God in the world . . . shining more and more unto the perfect day in the life of Christ.'

Essays and Reviews did not at the outset attract any extraordinary attention. It was first brought into prominence by a jubilant article in the *Westminster Review*, attributed to Mr. Frederic Harrison, entitled 'Neo-Christianity,' in which the writer expressed his delight at finding a group of beneficed or otherwise responsible divines eating so freely of the tree of knowledge. He found that inspiration, prophecy, miracles, the truth of the history and the authority of the precepts contained in the Old and New Testaments, the creation and fall of man, the Sacraments and Creeds were denied or discredited in this volume. Even the central doctrines of the Trinity, the Incarnation, and the Atonement were subjected to criticism. There remained little but 'a revised Atonement, a transcendental Fall, a practical Salvation, and a idealised Damnation.' This might be the doctrine of a few professors and divines, who conceived it possible to hold such opinions and yet remain in the Church; but the public, for whom these Essays were written, would never believe that the Bible is 'full of errors or rather untruths . . . a medley of late compilers; and yet withal remains the Book of Life.' The essayists would upset 'the creeds of Church and Chapel,' and at the same time declare their authority. We must have one thing or the other, orthodoxy or heterodoxy, not a vague opinion which sees no difference between them; and he invited the writers to have the courage to embrace the positivist creed, and see how naturally and easily the doctrine of automatic evolution satisfied their own accepted conditions of thinking.

Frederic Harrison's article on 'Neo-Christianity.'

This article stirred up defenders of the Church to reply to the

book, and foremost among them the Bishop of Oxford. It was damaging to the latitudinarian party to have their champions welcomed by the Positivist and censured by the Bishop who at this moment held the lists for orthodoxy; since thinkers of the latitudinarian school have always claimed that their desire for liberty does not go beyond the limits of a justly conceived orthodoxy. Bishop Wilberforce's article in the *Quarterly Review* of January 1861 sent the number in which it appeared through five editions. It was a vigorous and able attack upon all the positions occupied by the essayists, whom he, like the *Westminster* critic, refused to admit as independent writers. Joint authorship implies joint responsibility; and if the degree of divergence from the Christian faith is not the same in all the compositions, there is, he said, one flaw which runs through all; the idea of the whole volume is the idea of a 'verifying faculty.' That is to say, the human reason is to judge of divine things, with conscience as the supreme interpreter. If the Atonement, as conceived in Christian formularies, is not in accordance with our ideas of the nature of God, we must put that conception aside, with an allusion to 'the fierce ritual of Sinai.' The whole range of supernatural phenomena, whether miraculous or sacramental, is to be subjected to the 'universal solvent' of criticism, leaving 'a residuum not peculiarly sacred,' a record of the religious life of past ages, uttered by the voice of the congregation. This idea of a 'progressive revelation' ends in 'the dreamy vagueness of pantheistic pietism'; for if we admit the tendency to minimise miracle, prophecy is no longer authoritative, nor the inspiration of Scripture exclusive; creation by the will of God disappears before blind evolution, the whole pagan world is introduced to partake in a parallel scheme of revelation or discovery, and the foundations of religious and secular morality are made insecure. As for the casuistry of Wilson on the limits of conscientious subscription, 'it is the doctrine of Tract 90 carried into a new region and development, and goes far beyond it in intellectual eccentricity.' A good point, for Wilson was one of the four Tutors of 1841.

Bishop Wilberforce in the *Quarterly*, 1861.

Stanley began an article in the *Edinburgh Review* with a survey of religious panic, 'a curious chapter in the annals

of mankind,' quoting instances of controversies and alarms connected with the names of Arnold, Hampden, Gorham, and Wiseman, from which 'the Church and the Christian religion had emerged . . . in most cases purified and strengthened'; and gave a warning not to dread 'hurricane latitudes' too much. The writer found fault with *Essays and Reviews* as being negative in tendency, written *ad clerum* but published in eight gigantic editions *ad populum*, and full of rash assertions; at the same time he commends, if not the discretion of the writers, yet their zeal in the cause of 'free discussion and research on theological subjects,' and pleads eloquently for freedom of speech and thought for clergy and laity alike, lest it should come to be said that truth was made for the laity and falsehood for the clergy. 'This common challenge' for the right of free discussion 'is unquestionably the one common ground between the seven authors.'

Stanley's article in the *Edinburgh.*

The *Guardian* had a series of careful and moderate articles on the book (May 1860), in which Temple and Pattison were let off easily. Jowett's Essay is declared to be as bad as his book on the Epistles; his character for heterodoxy was no new thing. The article quotes with disapprobation a sentence in this Essay: 'Nor for any of the higher or supernatural views of inspiration is there any foundation in the Gospels or Epistles.' A sentence is similarly extracted from Powell's Essay: 'Creation . . . only another name for our ignorance of the mode of production.' '[Powell's] teaching,' says the reviewer, 'for all practical purposes is indistinguishable from atheism.' Of Wilson's Essay, 'the famous Tract 90 contained no special pleading, if these observations do not.' A line of his own verse, 'those fables strange our hirelings teach,' is enough to condemn Williams. Goodwin is passed over in silence.

The *Guardian* on *Essays and Reviews.*

One indication of the overcharged state of the atmosphere was the excitement caused by a discussion at the annual meeting of the British Association, which this year was held at Oxford. The Association had held its first meeting at Oxford in 1832, when Keble spoke contemptuously of it as 'a hodge-podge of philo-

Meeting of the British Association at Oxford, 1860.

sophers.' The philosophers were stronger in 1860 than in 1832, but some of the Churchmen thought they could be put down. Darwin's *Origin of Species* was published in 1859. Bishop Wilberforce reviewed it in the *Quarterly*, and believed he had demolished its argument, an argument which seemed to him atheistical in tendency and unsound in reason. He was in a tilting mood, and the temper of the Association was warlike. He allowed himself to make some irritating remarks in the presence of Professor Huxley, who turned the tables upon him. The world applauded the combatant who hit hardest, for this personal encounter was long remembered; some of those who applauded understood that it was a contest between knowledge and unenlightened cleverness, as one-sided as the duel between Porson and Travis. Wilberforce was a good blade, but no match for Darwin's arguments or Huxley's invective; and his attempt to destroy the Darwinian theory by theological weapons damaged the current theology more than the theory.

Wilberforce and Huxley.

The archbishops and bishops, after a meeting at Fulham, on February 1, 1861, agreed that an episcopal circular should be issued; and accordingly Archbishop Sumner addressed (12 February) a reply to one of many addresses sent in by the clergy. This letter, which was drafted by Wilberforce, expressed the bishops' disapproval of the publication of *Essays and Reviews* by English clergymen, and reflected on the honesty of those who contributed to the book, being beneficed priests. It hinted at a resort to the ecclesiastical courts, or a synodical condemnation of the book. This document, important less for its contents than for the quarter whence it proceeded, for it sounded no clear note of summons to action of any kind, was signed by both archbishops and twenty-four bishops, among them Hampden and Thirlwall, the former of whom had experienced persecution, while the latter was looked upon as an enemy of all intolerance, and by Tait, Bishop of London, who, like Wilson, was one of the four Tutors of 1841, and whose action on this occasion gave deep offence.

Meeting of bishops at Fulham, 1861.

Pastoral letter of Abp. Sumner.

The Convocation of Canterbury also took up the matter.

and on February 26, Dr. Jelf, in the Lower House, moved that an address be presented to the Upper House, praying 'the official attention of His Grace and their Lordships to the volume . . . with a view to synodical action in reference thereto.' Jelf wished extracts from the book to be published, and answers to the extracts, accompanied by an official censure. He proceeded to give instances in detail of errors touching Holy Scripture, denial of inspiration, of miracles, of predictive prophecy, of the descent from Adam, of original sin, and of the Atonement. He commented severely upon the breach of a sacred trust on the part of the clergymen who, so far from 'banishing and driving away erroneous and strange doctrines,' were bringing them in. After much debate Dr. Wordsworth, seconded by Archdeacon Denison, moved a resolution, referring to the censure passed by the archbishops and bishops, and expressing a hope that 'the faithful zeal of the Christian Church in this land may be enabled to counteract the pernicious effect of the book'; a resolution with which its seconder pronounced himself 'wholly dissatisfied.' The resolution of the Lower House having been presented, the bishops took the matter into consideration on the 28th. The debate was then postponed in order to obtain the concurrence of the Convocation of York.

Action of Convocation.

Wordsworth's resolution.

On June 18, Archdeacon Denison, as Chairman of a Committee appointed by direction of the bishops, presented their report, which was to the effect that the Committee had examined the volume, and considered its leading principle to be that the truth of the Bible should be measured and determined by the standard of the present advanced knowledge possessed by the world, and that if the Bible should appear to be at variance with the conclusions of educated intellect, the Bible must be taken to be a human utterance; and that new rules of interpretation must now be substituted for old, if the credit and authority of the Holy Scriptures are to be maintained. They find that many statements and doctrines of Holy Scripture are denied, called in question, or disparaged in this book; that it is urged that many passages of the Bible may be understood upon the principle called 'ideology';

Report of Denison's Committee presented.

that the Creeds may be put aside as out of date; that liberty is claimed for subscription to formularies without belief in them according to their plain and natural meaning; and that holiness of life may be separated from Christian doctrine. A schedule was appended, quoting instances in proof. Finally Denison's original resolution, 'that in the opinion of this House there are sufficient grounds for proceeding to a synodical judgment upon the book entitled *Essays and Reviews*,' was put and carried in a thin sitting by 31 votes to 8, and brought up to the Upper House. The bishops decided (9 July) not to consider the subject further, pending the course of the suit instituted by the Bishop of Salisbury against Williams.

The bishops decide against synodical action.

As Bishop Tait occupied so prominent and peculiar a position in this controversy, he claims a separate notice. He was attacked from all sides, and his action may be described either as a policy of trimming amongst all parties, or of doing justice to all. It must be admitted that he made a serious mistake in giving no hint to Jowett, Stanley, and Temple, when they met as his guests at Fulham Palace in January 1861, of any intention on the part of the bishops to take hostile action. He had to endure the fiery anger of Stanley and the more weighty indignation of Temple, who accused him of action which 'had not the intention, but had all the effect, of treachery.' The line dividing official and personal expression of opinion is hard to draw: at a later date Dr. Temple was, on his own showing, a different person from the Bishop of Exeter; and Dr. Tait and the Bishop of London may not always have held consistent language. In both instances the discrepancy was the occasion of much misunderstanding, and Tait's defence on this occasion does not wholly exculpate him; but his course, considered as a whole, was not inconsistent. He saw nothing heretical in the essays of Temple, Jowett, and Pattison, but disapproved of the general tendency of the book. When he came to be a judge of particular passages, he had to take a judicial view; and though he had joined the other bishops in condemning the book on its first appearance as a book written in all but one instance by clergymen, he thought enough had been done to disclaim all sympathy with the doctrines set forth or

Bishop Tait's position.

hinted at, and he was contemptuously indifferent to expressions of clerical opinion, and well aware that a synodical condemnation by Convocation had no effective force. 'I deeply deplore,' he wrote, 'and even execrate the spirit of much of the *Essays and Reviews*. . . . I do not wonder at the outcry and alarm; but what are the bishops appointed for except to direct the clergy in times of alarm? I pray that I may never fall into the snare of following rather than leading the clergy of my diocese.'

The bishops, by their joint letter, had pronounced a censure, severe in terms though informal and inoperative. Their delay before proceeding to a regular synodical censure gave the impression, rightly or wrongly, that they considered their spiritual authority as subordinate to temporal courts. As for action in individual cases, Goodwin had resigned his fellowship at Christ's; Powell died in 1862; Pattison's preferment was a donative, and not subject to episcopal institution; Temple, as a Queen's chaplain, was not subject to ecclesiastical or academical discipline; Jowett was being attacked in his own university. There was nothing, as Archdeacon Denison says, to prevent the Bishop of Salisbury from judging Dr. Williams in his own consistorial court, admonishing him when convicted of heresy, and excommunicating him if contumacious; and after some delay, and most unwillingly, Bishop Hamilton took proceedings against Williams for heresy, by sending Letters of Request under the Church Discipline Act of 1840 to the Court of Arches of the province of Canterbury, on June 1, 1861; and on December 16, 1861, the Rev. James Fendall took similar proceedings against Wilson before the same court. The two cases, Bishop of Salisbury *v.* Williams and Fendall *v.* Wilson were, in great measure, conducted as one; and both in the Court of Arches and before the Judicial Committee judgment was pronounced upon both cases together.

Bishop of Salisbury *v.* Williams and Fendall *v.* Wilson in the Court of Arches, 1861.

In the Court of Arches a distinction was drawn by the Dean of Arches, Dr. Lushington, between the opinions expressed by the defendants and the tendency of those opinions. It was settled by the Gorham judgment that all theological doctrines not clearly defined by the Articles or formularies are open

Judgment in the Court of Arches, 1862.

questions in the eye of the law. The business of the court, considering that the proceedings were penal, was to inquire and pronounce whether the statements impugned were in contradiction to or inconsistent with the formularies of the Church, not whether they were true or false, sound or unsound, edifying or dangerous, nor what was 'the general impression produced by the publication of *Essays and Reviews*: a book like *Essays and Reviews* may contain much deserving of censure, and yet the law of the Church may not reach it.' For instance, the universalism charged against Wilson is subjected to a strictly verbal test, and the decision is, 'Mr. Wilson does not say that men will be saved by the law they profess. He neither avers nor denies that they will be saved by the name of Jesus Christ.' It is therefore held that he does not contradict Articles IX. and XVIII.; though the tendency of what he says may seem to be inconsistent with them. So an implied denial of the genuineness of the 2nd Epistle of Peter is held not to be contrary to Article VI., the purport of which is canonicity, not authorship. Wilson, however, was censured for denying that the Bible was written by the special interposition of the Almighty Power (against Articles VI. and XX.); for denying any distinction between covenanted and uncovenanted mercies (against Articles IX. and XVIII.); and for entertaining and expressing a hope of an intermediate state after death, and the final escape of all from everlasting condemnation, against the doctrine of the Prayer Book and the Creeds. Williams was censured for holding the opinion (against Articles VI. and XX.) that 'the Holy Scriptures proceed from the same mental power as has produced other works,' and that the Bible is 'an expression of devout reason' and 'the written word of the congregation' (against Articles VI. and VII.); against Article XXXI. that justification by faith means only the peace of mind or sense of Divine approval which comes of trust in a righteous God, rather than from 'a fiction of merit by transfer.'

Appeal to the Judicial Committee, 1862.

The sentence of the court (15 December 1862) in each case was suspension *ab officio et beneficio* for the term of one year, costs being given against the defendants. The defendants, having appealed, were heard before the Judicial Committee of the Privy

Council, represented by Lord Chancellor Westbury, the two Archbishops (Longley and Thomson), the Bishop of London (Tait), Lords Cranworth, Chelmsford, and Kingstown. On February 8, 1864, judgment was given, in which all concurred except the two Archbishops, who dissented on the question of inspiration.

The judges, following the same principles of judicial action which had guided the lower court, decided that it is not penal in a clergyman to maintain that 'the Bible is the expression of devout reason, and therefore to be read with reason in freedom'; or that 'the Bible is the written voice of the congregation'; or to deny that every book of Holy Scripture was written under the inspiration of the Holy Spirit and is the Word of God; or 'to speak of merit by transfer as a "fiction," however unseemly that word may be when used in connexion with such a subject.' In Wilson's case it was held not to be penal to express a hope of the ultimate pardon of the wicked who are condemned in the Day of Judgment; since, in the opinion of the court, the extracted passages which formed the subject of the articles of charge in both cases were not contradicted by or plainly inconsistent with the Articles and formularies to which the charge referred. Both sentences were therefore reversed.

Sentences reversed, 1864.

Interpretation by a recognised supreme authority is in effect legislation; and so long as a temporal court decides questions of a theological character, the clergy and many of the laity will not be satisfied. The difficulty may be insoluble; it will certainly not be solved until the maxim *cuique in sua arte perito credendum* is fairly applied. Theological language has its history and its technicalities. It should also be borne in mind, if a satisfactory arrangement is desired, that at the back of the lay mind, especially the legal lay mind, usually lies the habit of regarding as matters of opinion doctrines which to the Churchman are life or death; and that the bias of lay judges, particularly in causes which involve criminal consequences, is to decide in favour of the accused, rather than to lay down a rule of doctrine. '*The* radical evil of law judges,' said Pusey, 'is their bias to

Lay judges and theological questions.

acquit the accused.' In a word, the object of creeds and articles is exclusion, that of law courts, comprehension.

Opposite views.

From one point of view the *Quarterly* reviewer is justified in saying, 'The difficulty of the Church has ever been, not to make her words sufficiently comprehensive, but to make them sufficiently definite; to find some expression through which an heresiarch could not wriggle his tortuous and deceitful path.' And, from the opposite point of view, the *Edinburgh* reviewer is justified in arguing that, as the Gorham judgment established the legal position of the evangelical party in the Church of England, and the Denison judgment (had it turned on the merits of the case) that of the High Church or sacramental party; 'so the judgment in the case of Wilson and Williams established the legal position of those who have always claimed the right of free inquiry and latitude of opinion equally for themselves, and for both the other sections of the Church.' In fact, though impugners of these several judgments have maintained that they neither declared nor altered church law, being lay judgments and not strictly binding upon the action, much less the conscience of the clergy, they have stood their ground, and have been accepted as having legal authority; and there is no likelihood that clergymen of the Church of England will again be molested for denying the unconditional validity of baptism, or maintaining the Real Presence, or asserting the right of a free interpretation of the Bible. *Littera scripta manet.*

Stanley, Jowett, and Pusey, 1864.

The judgment produced such an outcry as was to be expected. Stanley, who just about this time (9 January 1864) was installed as Dean of Westminster, rejoiced at the ending of 'the panic of *Essays and Reviews*, by establishing the legality of two great doctrines for which the prophets have contended against the whole bench of bishops,' and Jowett, who had been 'satisfied and pleased' with the moderation of Dr. Lushington's judgment, felt that more freedom had been gained by that of the Judicial Committee: but the orthodox, whether of the High Church or Low Church camp, were in dismay. We find Pusey writing to Stanley, in February 1864, that he does not know what single truth he and Professor Jowett 'hold in common, except

that somehow Jesus came from God, which the Mohammedans believe too'; and defending himself for making alliance with the *Record* on the ground of common belief. It is not always easy to remember Temple's dictum, that 'toleration means tolerating what we don't like, as well as what we like.' At that moment there was very little toleration in the ecclesiastical atmosphere of the Church of England; nor were Jowett and Stanley themselves unaffected by the *odium theologicum* which they freely charged upon their opponents.

Thirlwall on the Court of Appeal, 1866.

The question of the Judicial Committee's jurisdiction was considered by Bishop Thirlwall of St. David's in a Charge to the clergy of his diocese delivered in 1866, in which he maintained the principle of a lay court. 'The composition of a purely ecclesiastical tribunal in cases of heresy is a question so difficult that it may be considered insoluble; on the other hand, a lay court must either passively accept the judgment of their spiritual advisers or assessors, or judge for itself.' 'If the Judicial Committee maintains its independence, and is not bound to adopt the opinion of its clerical advisers, it is quite certain that it will continue to act on the same principles and maxims of interpretation by which it has been hitherto guided, and will in every case test the answer it receives by these principles, and not the principles by the answer.' Any Declaration of Faith pronounced by a clerical Committee or Synod would be, he thought, not a mere repetition of formularies, 'but a new, more or less authoritative, definition of doctrine; in other words, a new article of faith.' And such a new article will be declared by its framers to have been the doctrine of the Church from the beginning, 'just as the Pope maintains that his dogma of the Immaculate Conception was a part of the original Christian revelation, though its definition, as an article of faith, was reserved for the nineteenth century.'

Oxford Declaration of clergy, 1864.

An incident connected with *Essays and Reviews* was the publication at Oxford of a Declaration touching inspiration of Holy Scripture and eternal punishment, which took shape in consequence of the above-mentioned alliance between the leaders of the High Church and Low Church parties through the country

generally, Dr. Pusey writing to the *Record* against the recent 'miserable, soul-destroying judgment,' and joining hands with Lord Shaftesbury in defence of the Church. The Declaration was proposed by the intrepid and indefatigable Archdeacon Denison, at a meeting held in the Music School at Oxford immediately after the judgment, and was sent out to all the clergy on February 24, 1864. The Declaration ran as follows: 'We, the undersigned presbyters and deacons in Holy Orders of the Church of England and Ireland, hold it to be our bounden duty to the Church, and to the souls of men, to declare our firm belief that the Church of England and Ireland, in common with the whole Catholic Church, maintains without reserve or qualification the inspiration and Divine authority of the whole canonical Scriptures, as not only containing but being the Word of God; and further teaches in the words of our Blessed Lord that the "punishment" of the "cursed," equally with the "life" of the "righteous," is "everlasting."' This Declaration was signed by upwards of 11,000 clergy, and was presented at Lambeth. Besides the Oxford Declaration from the clergy, an address of thanks to the archbishops for dissenting from Lord Westbury's judgment, bearing the signatures of 137,000 'lay members of the Church of England,' was presented at Lambeth Palace on March 16 in the same year.

Lay Declaration.

About the same time, no doubt wrought upon by the decision in Wilson's case, Keble published a *Litany of our Lord's Warnings*, which 'recalls all the great acts of God's justice and His words of warning in the Bible, and in the light of them prays for mercy.' The subject of eternal punishment is the most painful of all subjects, and this publication gave pain to many who dwelt on the consolations of *The Christian Year* more than on its warnings. It was at any rate a fresh evidence of the seriousness of Keble; and its lessons were reinforced by a sermon preached by him in that year at Cuddesdon, on 'the spirit of God's most holy fear.'

Keble's *Litany*, 1864.

To return to the action of Convocation in the matter of *Essays and Reviews*, which had been interrupted since 1861. On April 19, 1864, the Bishop of Oxford presented a petition praying the Upper House to proceed to a judgment upon such

statements of *Essays and Reviews* as bore on the inspiration of Scripture and the everlasting punishment of the wicked; and on the next day he moved that the Upper House should take into consideration the message of the Lower House of June 21, 1861, stating that 'in the opinion of this House there are sufficient grounds for proceeding to a synodical judgment upon the book entitled *Essays and Reviews*.' The matter, he said, had slumbered for three years, because the suits had lingered so long in the courts. Judges might define the limits of civil rights; the clergy ought to hear from Convocation, speaking in the name of the Church, the Church's judgment on disputed points, in order that an honest man, if he comes to the conclusion that he is bound to teach what his Church does not put in his mouth to say, might, 'as an honest man, go and say that saying in another capacity.'

Convocation. Wilberforce's motion, 1864.

Bishop Thirlwall objected to the proposal to condemn the whole book. As for the Oxford Declaration, he spoke with contempt of the argument from numbers, which coupled with Dr. Pusey's authority the suffrage of 'the youngest literate—or illiterate, they often mean nearly the same thing—who had been last admitted to Deacon's orders.' Thousands of such names were like a row of figures preceded by a decimal point, and never rising to the value of a single unit. The Judicial Committee stated that the proposition or assertion that every part of Scripture was written under the inspiration of God is not to be found either in the Articles or any of the formularies of the Church. The Declaration asserted the contrary. The bishops could not settle such a dispute, and he rejoiced that in this case, as in the Gorham case, no authority existed within the Church which could.

Bishop Thirlwall in Convocation.

The Bishop of London warned the bishops against doing anything which might be construed as the promulgation of new Articles of Religion. He fastened upon the Declaration the meaning 'that it has been the doctrine of the Universal Church in all ages that Holy Scripture is . . . not only our infallible guide as to faith and doctrine, but that in matters which have no connexion with either faith or doctrine—as, for example, matters

Bishop Tait's speech.

of physical science—every single syllable of Holy Scripture is to be considered as infallible. If that is not the meaning . . . I should be glad to hear what that meaning is.' It may be objected to this sentence that the statement, 'matters of physical science have no connexion with faith or doctrine,' would not have been accepted either by Pusey or Keble, or by many of the learned or unlearned signatories. The minds of Tait and Thirlwall were not in contact with the mind of the unthinking traditional believer, or of the learned literalist, such as Burgon and Pusey, and neither could understand the other. But such expressions are roadmarks along the way by which thought travels.

Convocation. The bishops condemn *Essays and Reviews.*

The number of bishops present at the debate in Convocation was only ten; and as they were equally divided, the Archbishop gave his casting vote for the appointment of the Committee, the report of which was received and adopted without division on June 21. The Bishop of Oxford then moved to invite the Lower House to concur with them in the following judgment: 'That this Synod, having appointed Committees of the Upper and Lower House to examine and report upon the volume entitled *Essays and Reviews*, . . . doth hereby synodically condemn the said volume, as containing teaching contrary to the doctrine received by the United Church of England and Ireland, in common with the whole Catholic Church of Christ.' This motion was carried with only two dissentients,—Tait, who had agreed with the Privy Council judgment, and Jackson of Lincoln. Thirlwall was not present.

Dean Stanley's speech.

The debate in the Lower House on June 24 was chiefly remarkable for a vehement speech by Dean Stanley in opposition to Archdeacon Denison and his party. It may be said, without offence, that if Denison and Stanley had lived in the Middle Ages, Stanley would have been burnt and Denison would have been at the burning; their principles and methods were so discordant that both could not have been ministers of any Church less comprehensive than the Church of England. Stanley complained that the synodical judgment proposed was ambiguous, indiscriminating, and unfair; but, he said, 'there is one consolation,

that it is illegal, nugatory. . . . If not illegal in form, it is illegal in this sense, that if it means anything at all, it asserts that to be the doctrine of the Church of England which the Supreme Court of Appeal has asserted not to be the doctrine of the Church of England, and that it asserts that to be contrary to the teaching of the Church of England which the Supreme Court of Appeal has asserted not to be contrary to its teaching.' After three days' debate, the House, on Denison's motion, decided to agree with the bishops, by 39 votes to 19; but this majority was only secured by Denison's activity in telegraphing to his friends to come to London; and loud are his complaints of 'coldness, neglect, indifference, frivolous or irrelevant objection.'

The book was thus condemned by Convocation, and it is impossible to say that there was no reason for the condemnation. But a synodical condemnation by Convocation carries with it no penal consequences; and in point of fact the action of Convocation was more than neutralised by the effect of the Privy Council judgment, carefully guarded and limited though that was.

Synodical condemnation of *Essays and Reviews*.

A debate of some interest was opened on July 15 in the House of Lords by Lord Houghton, who put a question as to the powers of the Convocation of the province of Canterbury to pass a synodical judgment on books, whether written by clergymen or laymen. The matter to which he called attention was, he said, 'a practical grievance and an immediate danger.' He referred to the history of Convocation, which showed that inconsiderate action on the part of the Lower House had usually been restrained by the superior wisdom of the prelates, quoting especially the case of Toland (1700), when the bishops were advised that both Houses of Convocation might incur the penalties of the statute of 25 Henry VIII. by censuring books without a licence from the King. Even if the censure were legal and privileged, said Lord Houghton, it ought to be accompanied by regular procedure. Convocation could not call for evidence or papers, could not make a new canon without special licence from the Crown. Had this censure any meaning without that licence? He ended by saying that if Convocation persisted in this course

Debate in the House of Lords. Lord Houghton.

of action, he feared its eccentricities would have to be checked by superior power, as they had been checked before.

Lord Houghton's speech gave Lord Westbury an opportunity of attacking the Bishop of Oxford, which he did in a speech the cleverness of which was as undeniable as its insolence and bad taste. 'There are three modes of dealing with Convocation,' said the Lord Chancellor, 'since it has been permitted, which I deeply regret, to come into action again and transact business. The first is, while they are harmlessly busy, to take no notice of their proceedings; the second is, when they seem likely to get into mischief, to prorogue them and put a stop to their proceedings; the third, when they have done something clearly beyond their powers, is to bring them to the bar of justice for punishment. Now, before what court should they be brought, and what would be the punishment that could be inflicted on them?' He went on to say that such proceedings as those in question fell under the enactment of 25 Henry VIII. c. 19, and consequently, that if any attempt were made to give force to a sentence passed by Convocation, the parties so offending would incur the penalties of a *praemunire*, which in the first place might mulct the Archbishop of Canterbury in the sum of £30,000, and from him in proportion downwards 'the bishops, deans, archdeacons, canons, vicars—all included in one common crime, all subject to one common penalty—what a temptation for the Chancellor of the Exchequer!' In the course of his speech he made a personal attack on the Bishop of Oxford, the author of the synodical condemnation, in the most offensive terms, to which the Bishop replied with spirit and dignity. The encounter was sharp, and it was generally felt that the Lord Chancellor had the worst of it.

Lord Westbury and Bp. Wilberforce.

The net result of so much heat on both sides was, within the Church itself, a strong and general verdict against the book, expressed, as we have seen, both by the clergy and the laity of the Church; and out of doors a wide discussion and formation of opinion. Questions usually treated by none but theologians were publicly discussed in the newspapers and magazines, and in the conversation of every house in the kingdom; the subject was

Result of the judgment and its discussion.

made, as Lecky wrote, 'familiar to the great body of educated men'; and the great body of educated men accepted, generally speaking, the historical and scientific methods, if not all the conclusions, of the essayists. The pronouncement of Convocation was not without weight; but the legal rebuff made it clear that the orthodox party would not be upheld by the authority of the law, and showed more clearly than ever that the spiritualty of the Church of England had lost, whether by negligence and disuse, or by the effect of unsympathetic legislation, or by the assertion of lay opinion, the declarative and disciplinary authority which it possessed before the Reformation.

When we read *Essays and Reviews* after fifty years, it is obvious that the bases of lawful criticism have been widened since the time when it was published. Biblical and historical criticism was as yet 'suspect'; it had not got clear of the traditions of a time when it was hazardous to criticise. Dissent from established opinion was not tolerated within the Church. Every step had to be guarded, and the objector kept always in view: it was thought not only safer but more religious to acquiesce in conclusions than to inquire. Evolution was then on its trial; Darwin's book was new, and it was not yet agreed that he had established a universal principle which would rank with those of Copernicus and Newton, and permeate all thought. The controversy is not closed, but, as usually happens in these matters, the ground is shifted. The 'verifying faculty,' which in the sixteenth century condemned mediæval doctrine as unscriptural and shook the authority of the Church in matters of faith, a little later condemned mediæval science as irrational, and declared the emancipation of scientific thought from ecclesiastical bonds. Later still, it invaded the Mosaic record and founded the science of geology; a further development came in with the comparative method in history, by which the origins of different religions were compared with each other, and criteria universally accepted in the investigation of secular records were applied to religious records, first in the early history of the Jews, then, but slowly and cautiously, to the writings of the New Testament. Colenso's attack upon the Mosaic

Changes in the conditions of criticism.

records made a more violent commotion than even the *Essays and Reviews*; but his general conclusions as to the unhistorical character of much that is set down in the early Hebrew records are now a commonplace. Bishop Temple in his *Bampton Lectures*, delivered in 1884, tacitly accepted the forbidden methods, and not a dog wagged his tongue. In our own time the official teachers of the Church at Oxford and Cambridge take for granted much of that for propounding which Temple and Colenso were called heretics. Not only in the Church of England, but in Christendom generally, the battlefield is changed: the critics have won the victory on the historical ground, and the citadel of religion, uncaptured, rests more securely upon the foundation of the relation between God and man and the person and office of Christ, than upon questions of dates and authors, or ambiguous definitions of the supernatural.

Apologetic literature.

The publication of *Essays and Reviews* gave rise to a large quantity of apologetic literature, which served its purpose, but made no deep impression. One of the most conspicuous of these publications was a volume entitled *Aids to Faith*, edited by William Thomson, Bishop of Gloucester and Bristol, and afterwards Archbishop of York, in 1861. It contained essays by Mansel, McCaul, Harold Browne, Rawlinson, Ellicott, and Thomson himself, and was written in a grave and moderate style. Such works do not stand as landmarks, like Liddon's Bampton Lectures of 1871; they do not greatly affect the progress of science or the interests of religion, but they lull the distress felt by conscientious people and produce a calming effect when controversy is running high.

Dr. Temple appointed to the See of Exeter, 1869.

On October 2, 1869, Mr. Gladstone wrote informing Archbishop Tait of his intention to translate Bishop Wilberforce to Winchester and appoint Dr. Temple to Exeter. The former appointment was a tribute to Bishop Wilberforce's eminence among the bishops, as well as to a long and sincere friendship; it was also of the nature of a consolation for the Bishop's disappointment in not succeeding to the See of York in 1862. The time was come, Gladstone wrote, for him to seal the general verdict.

Four years later, on July 19, 1873, he was killed by a fall from his horse while riding with Lord Granville on the Surrey Downs at Abinger. Samuel Wilberforce (1805-1873), third son of William Wilberforce, was born at Clapham, and brought up in that centre of Evangelical piety. He was attracted by the Oxford Movement of 1833, though he took no part in its inception and progress, and was not resident in Oxford during the long course of events which began with Keble's sermon in 1833, and did not conclude with Newman's reception into the Roman Church in 1845. He was never a Romaniser, nor a follower of Pusey in his extreme sacramentarian views, his dislike of which was expressed by a two years' inhibition of his senior from preaching in the diocese of Oxford. But he resisted all attempts to crush Ritualism, and we have seen how dexterously he baffled Lord Shaftesbury's attempt to make the Edwardian vestments illegal. To him, more than to any one man beside, it may be attributed that Ritualism was allowed to develop unhindered by legal enactment or episcopal interference.

Death of Bishop Wilberforce, 1873.

He will be remembered as the reviver of Convocation, one of the chief founders of sisterhoods, as well as one of the principal organisers of diocesan activity. His well-grounded opinion of his own tact and persuasiveness led him to lean too much to management, and he was not trusted as a more plain-dealing man would be. He was thought to be adroit and untrustworthy; but the accusation was more easily made than supported. Ambitious, politic, with the excellences and defects of an orator, Wilberforce mingled too much the saint and the man of the world. That he was a sincere Christian, no one can doubt; that he was an honest man, no one doubted who knew him, though it might be admitted that he was not always perfectly scrupulous in the means which he adopted. He was a great prelate and a beneficent worker.

His character.

Temple lay under the implied censure by Convocation of the whole work of which his Essay formed a part, and he had not in any way dissociated himself from it. When the appointment was made known a tumult arose. Pusey exclaimed against 'the horrible scandal of the

Opposition to Temple's appointment.

recommendation of the editor of the *Essays and Reviews* to be a Christian bishop.' Temple was not the editor: but he incurred a common responsibility, whether he intended it or not. Lord Shaftesbury joined with Pusey 'to prevent the scandal to the Church'; Mansel, Burgon, and Denison protested; the newspapers, high and low, lay and clerical, joined the fray; Harold Browne, Wilberforce, Sir Stafford Northcote, and other friends urged Temple to dissociate his name from *Essays and Reviews*, but he was immovable. The diocese of Exeter broke out into open revolt, and the Chapter was urged to disregard the recommendation of Temple contained in the *congé d'élire*. In the event seven out of twenty members voted against the crown nominee. The protest was repeated in legal form on the occasion of the confirmation in Bow Church, on December 8, when it was ruled by the Vicar-General that the Archbishop had no option but to carry out the Royal mandate to consecrate. Even on the 21st, the day of the consecration, and in Westminster Abbey itself, the Bishop of London (Jackson), who presided in consequence of the Archbishop's illness, read a protest signed by several bishops of the province of Canterbury, and requested the three bishops who were present to give their several opinions. The Bishops of St. David's (Thirlwall), Ely (Harold Browne), and Worcester (Philpott) pronounced in favour of obeying orders, and the ceremony proceeded.

Bp. Temple's personal statement in Convocation, 1870.

On February 11, 1870, the Bishop of Exeter made a personal statement in Convocation as to his action in respect of *Essays and Reviews*. He had come to the conclusion not to publish again the Essay which he had contributed to *Essays and Reviews*, on the ground that that document, or rather the volume in which it was contained, was 'the cause of very serious distress and anxiety and perplexity to a great many very good people . . . not because they had read the book, but rather because they saw the alarm and discomfort which others felt who had read it.' He was asked to make some declaration, both on the ground of charity, and because if he did not do so he was almost threatened with such opposition as would keep him out of the office which he now held. He thought it his duty to take no step as long as there was any legal right at stake.

But after he became Bishop of Exeter, he thought he might yield to very urgent pressure so far as to withdraw his Essay from publication. He was not thinking of Convocation, nor of himself at all, but simply of good people on whom it did not seem right to press a book which gave them so much unhappiness. He felt, however, that the publication of one essay amongst others was a thing which might be allowed to Frederick Temple, but which was not therefore to be allowed to the Bishop of Exeter. The withdrawal of his own Essay was not intended as a retractation or a censure, or to signify that if the circumstances were to come over again he would not do the same. Another reason for withdrawing the Essay was that he thought the volume had done the work which it was intended to do, namely, to check an unwholesome reticence on the subject of religious doubts and difficulties which prevailed among young men at that time, especially at the universities. The volume had done both harm and good; the harm was 'almost a necessary accompaniment of the progress of investigation.' It had opened the door to free and reverent investigation of the Bible. If Temple's promotion angered his enemies, this retractation, for such it was commonly taken to be, angered his friends. It is difficult to recall an imprudent step; Temple's character vouches for his sincerity.

Bishop Temple ruled his diocese, if not with universal consent, yet with universal respect. His roughness of manner ceased to be resented, when his warm heart, honesty, courage, and devout spirit came to be known. He was felt to be 'not only the ruler but the friend of his people.' 'Through service came reconciliation.' Fifteen years later, when the time came for him to leave Exeter for London, Dean Cowie said to him, 'The thing that strikes me is that in the parts of Devonshire that I have known, every clergyman is half unconsciously doing twice as much as he did before, and they all say it is your doing'; and the expression of 'heartfelt reverence and esteem' which was addressed to him at this time was signed by 654 out of 700 clergymen in the diocese.

Temple as Bishop of Exeter, 1869-1885.

It might have been supposed that the judgments in the cases of Williams and Wilson had put an end to prosecution for heretical writing; but a volume of sermons entitled

The Sling and the Stone, published in 1868 by the Rev. Charles Voysey, Rector of Healaugh in the diocese of York, caused the prosecution of the author, in consequence of representations from Churchmen of all opinions, by his diocesan, the Archbishop of York (Thomson), in his provincial court. The charges brought against Mr. Voysey were that he had maintained, in contradiction to the doctrine of the Church of England, that Christ has not made an atonement for sin; that Christ is not 'very God of very God'; that the worship of Christ is idolatry; that the idea of the Incarnation takes its rise from unbelief. On appeal the case was referred by consent to the Privy Council, and the trial began on November 12, 1870. Judgment was delivered, after time for consideration, on February 11, 1871, by Lord Chancellor Hatherley. Archbishop Tait was absent from illness and was then at Mentone; but he had been present throughout the trial. All details of the judgment were considered by him, and much was altered; and every recommendation which he made was accepted by the Committee. The other judges were Lord Chelmsford and Sir Robert Phillimore. The defendant was condemned on almost every point, and deprived of his benefice.

The Sling and the Stone, 1868.

Appeal to Judicial Committee, 12 Nov. 1870.

While the trial was pending, Mr. Voysey published a 'Defence,' in which he took one by one the doctrines of Atonement, Justification, Incarnation, and Inspiration, and showed how from his point of view a new sense could be read into the old formularies. He grounded his defence upon the ambiguity and inadequacy of theological language, the uncertainty of the limits of subscription, and the impossibility, at a time when science and criticism are making rapid progress in every branch of knowledge, of confining assent to propositions within the ancient bounds. When he asks, 'Why may I not say in detail what Mr. Wilson was allowed to say in general terms?' the only answer which can be given is that detailed statements are more easily brought into comparison with the wording of a statute than general statements. His language was evidently inconsistent with the terms of his subscription, and therefore he suffered.

Long before the publication of *Essays and Reviews* Jowett

was an object of suspicion to the orthodox party, in consequence of the liberal line which he had taken in university politics, but chiefly from the tone of his edition of some of St. Paul's Epistles, published in 1855; and on his appointment by Lord Palmerston in the same year as Regius Professor of Greek, he was denounced to the Vice-Chancellor under an ancient statute as having denied the Catholic faith. The Vice-Chancellor, Dr. Cotton, required him to sign the Thirty-nine Articles, which he did; but did not thereby establish a reputation for orthodoxy. He felt the indignity keenly. His opponents had done him harm, he said; 'but he should live it down.'

Jowett appointed Professor of Greek, 1855.

The Regius Professorship of Greek was endowed by Henry VIII. with an annual stipend of £40, and this stipend had never been increased, though the emoluments of other chairs similarly founded had been raised to a more proportionate remuneration for the work done. In 1858 a proposal was made in the Hebdomadal Council to endow the Greek Professorship with an annual stipend of £300. Several attempts were made to carry this out, but failed because Convocation would not sanction the endowment of a Professor of unsound views. Jowett could not be deprived of his professorship, and the only short and easy way with him was to refuse to pay him for the work which he was doing, and which the University authorities gladly accepted, being indeed better work than any Greek Professor had done within the memory of man. It is strange that this manner of defending the faith should not have appeared to the actors unworthy of the cause and themselves. This was Pusey's opinion; and he vainly endeavoured to get justice done to Jowett without giving the appearance of condoning his heresies. In February 1863 a more direct attack was made, and a monition was issued to Jowett from the Chancellor's Court at Oxford to appear before the Vice-Chancellor on the charge of having promulgated erroneous doctrine. The Vice-Chancellor's assessor, Mountague Bernard, decided that his jurisdiction was doubtful, but that in any case he was not bound to exercise it. The case was argued publicly in the 'Cockpit,' and excited much interest among young and old.

Stipend of the Greek chair.

Jowett's friends, headed by Stanley, now proposed a motion in Council to increase the Professor's salary, which was beaten by a small majority. Pusey again tried to make peace; and on February 4, 1864, a statute was passed in the Congregation of the University, which endowed the chair, but with a saving clause, suggested by Keble, which disclaimed on the part of the University any judgment on Jowett's writings *quoad fidem Catholicam tractaverint*. But when this statute was submitted to a crowded meeting of Convocation on March 8, a month after the Judicial Committee's decision on the two suits connected with *Essays and Reviews*, it was rejected by 467 votes to 395. The scene in the Theatre was one of those peculiar to universities, the gallery of unenfranchised juniors expressing their opinions freely above the heads of the seniors voting: on this occasion dismay, triumph, and amusement alternated, as the Proctors officially announced *majori parti placet*, and immediately afterwards had to correct their statement to *non placet*. The question of the endowment thus remained unsolved. In 1864 E. A. Freeman, the historian, published a letter in the *Daily News* pointing out that an obligation lay upon the Dean and Chapter of Christ Church, in respect of estates held by them charged with the payment of stipends to certain Professors. The authorities of Christ Church represented that as five chairs were endowed with as many Canonries, the College had done enough for the service of the University, and they obtained counsel's opinion that no legal obligation existed. But in September 1865, on the ground of expediency, the Dean and Chapter of their own motion, and out of their own revenues, raised the income of the professorship to £500. 'I leave Christ Church,' said Archdeacon Denison, 'to answer for its own sins. At least the University had not fallen into the pit.'

The question of endowment settled.

AUTHORITIES.—*Histories*, as in Chap. VIII. *Aids to Faith*; *Chronicle of Convocation*. Brooke, *Six Judgments*, etc.; Brodrick and Fremantle, *A Collection*, etc. BIOGRAPHIES: *Tait*, by Davidson and Benham; *Temple*, by Sandford; *Stanley*, by Prothero; *Jowett*, by Abbott and Campbell; *Pusey*, by Liddon.

CHAPTER XII

THE COLENSO CONTROVERSY

1861–1868

SINCE the beginning of Christianity heresies and neologies have sprung up and run their course; the orthodox put them aside and forget them. The form of new opinion varies, being expressed in the language of the time; but opposition to authority continually revives to vex those who are averse from change. The number of German scholars in England was smaller in the middle of the nineteenth century than it is now, and those who disliked German speculation were often contented to believe that all had been read and confuted; but from all quarters what was then called rationalism was advancing, and the common thought of English people was greatly affected by Mill, Darwin and Huxley, George Eliot, Matthew Arnold, and Buckle, who all wrote about the same time, and brought in rationalism to dwell among us. Young Liberals of that time kept aloof from the ministry of the Church, and looked for its enlightenment through the breaking down of its formularies; they did not as yet approve the notion that a clergyman could throw doubt upon the doctrines of the Church and continue to hold preferment in it. *Essays and Reviews* and Colenso's book on the Pentateuch attracted attention no less from the position of the authors than from the arguments which they brought forward.

John William Colenso (1814-1883) was a Cambridge scholar and brilliant mathematician, whose ability and industry marked him out for promotion. From the tutorship of St.

John's College he went to serve under Dr. Longley at Harrow as a mathematical master. In 1853 he was appointed the first Bishop of Natal, and for seven years worked hard in his diocese, earning a reputation, both favourable and unfavourable, by his activity in the cause of the native population. In dealing with the difficult problem of polygamy among the converts he fell under suspicion of laxity; and, like other philanthropists in similar circumstances, was accused of meddling with politics in his desire to see justice done to the natives. He was combative, sanguine, incautious, a hater of reticence, with no great respect for ancient beliefs and those who held them. He was also a man of figures, with little imagination or elasticity of mind. In July 1861 he published a *Commentary on the Epistle to the Romans*, which was at once noted as containing unsound doctrine, and was severely commented upon by his Metropolitan, Bishop Gray of Cape Town. This was followed in 1862-1863 by the publication of Parts I. and II. of a work entitled *The Pentateuch and Book of Joshua Critically Examined*, which propounded such unheard-of theories that the earlier book ceased to be talked about.

Bishop Colenso.

The conclusion of the Bishop's critical investigations was that only a small portion, if any, of the Pentateuch can have been written in the Mosaic age; that the historical existence of Moses is doubtful; that Joshua is an entirely mythical character; that there are independent and incompatible accounts in the Book of Genesis of the Creation, Deluge, and other events; that the priestly legislation of the Pentateuch cannot have been compiled before the Captivity; that the Book of Deuteronomy was written as late as the reign of Manasseh; that the Books of Chronicles were written long after the Captivity, and are a fictitious story, put together for a special purpose.

Results of Colenso's investigations on the Pentateuch, 1862.

The bulk of the work was taken up with elaborate calculations, chiefly arithmetical, as to the measurements of the tabernacle and the camp in the wilderness, the numbers of armies, the growth of population, and similar statistical details. Among the passages which caused offence are the following:—

'The Bible itself is not God's Word: but assuredly "God's Word" will be heard in the Bible, by all who will humbly and devoutly listen for it.'

Extracts from his works.

Samuel (who is taken by the writer to be one of the authors of the Pentateuch) 'appears to have adopted the form of history, based upon the floating legends and traditions of the time, filling up the narrative—as we may believe—perhaps to a large extent out of his own imagination, when those traditions failed him.'

Such passages as St. John v. 46, 'Had ye believed Moses ye would have believed me, for he wrote of me,' introduce a question as to the limits of Christ's human knowledge. On this point the Bishop had no hesitation in pronouncing that 'certain *Divine* knowledge' was not granted to our Lord as Son of Man in matters of ordinary science or history. The 'ordinary knowledge of Christ was nothing more than that of any educated Jew of his age'; the writer even suggests that He may have been in error when He appealed to the Pentateuch as witnessing to His Divine mission.

Again, among the articles of accusation brought against Colenso's book on the *Epistle to the Romans*, are the following sentences quoted from that book:—

'There is not a single passage in the whole of the New Testament which supports the dogma of modern theology that our Lord died for our sins in the sense of dying instead of us . . . and dying so as to bear the punishment or penalty of our sins.'

'I cannot shut my eyes to the truth which these words ["the creature also itself shall be set free, etc."] appear so clearly to imply, that there is hope in the counsels of Infinite Wisdom and Love for all. . . . Can we say with these words of St. Paul before us that such chastisement, however severe, may not be remedial?'

It may or may not be desirable that such doctrines should fall within the limits of subscription to the formularies of the Church of England; but they were flung out in a rash and irresponsible way by a bishop of the Church, who appears to have rushed into print the moment a difficulty occurred to him, and to have had no thought at all of his own position and of the scandal he was

The consequent question.

making, of the difficulty he was creating for his friends, or the opposition which he was rousing against opinions some of which after a time might have been heard more patiently. The question before the Bishop of Cape Town, the bishops, the Church, the law courts, and the public in general was whether a man who professed such opinions ought to remain in the highest ministry of the Church of England. The question could hardly be put then; now, it receives attentive consideration, as being no longer new and surprising. That is the penalty which attaches to novelty in every part of human affairs, religion, science, politics, literature, art. Colenso's attack on received opinion is not condoned; but if it came into question again, objection would be taken to the spirit and tone rather than the matter of, at any rate, his historical criticisms.

The religious press unanimously condemned Colenso; the secular press with more reserve. The scandal was acknowledged on all hands. The *Critical Examination* was a more vulnerable book than *Essays and Reviews*, as being concerned with a part only of a vast subject, and being more direct and easy to focus; but it was treated, at least by the *Edinburgh Review*, more leniently. The writer took a line neither hostile nor apologetic, but explanatory. 'In Germany there is a theology and no Church; in England there is a Church and no theology'—so it had been said twenty years before. Since then theology had awakened in England, with a twofold attraction, on the one hand in the direction of Rome, through the study of ecclesiastical antiquity, on the other to consider 'the new relations that have arisen between theology and modern science . . . a controversy on no less a subject than the true nature and claims of the Bible, on the question (in a word) of "Inspiration."'

Comments of the press.

Edinburgh Review.

By speaking of 'new relations' between theology and science, the reviewer assumes the point at issue. The orthodox position was this; that there was and could be nothing new in the relations of science and religion. If science and religion seemed to disagree, theology must judge the strife, not the individual conscience, the verifying faculty, the private judgment appealed to by the writers of *Essays and Reviews*. And

indeed the controversy between faith and reason is neither new nor old, but eternal; with the difference that, as times change and knowledge is increased, much that belonged to the one sphere is transferred to the other, and facts and doctrines which were guarded by an unapproachable sanctity submit to be questioned. The position taken up by the *Edinburgh Review* is the liberal position of our own day, and is similar to that which was occupied for the purposes of their age by the Reformers of our Church, viz. 'that inquiry into the facts relating to Holy Scripture is permissible, and if permissible a positive and bounden duty.' Errors in the text, discrepancies arithmetical and historical, misconceptions of science, variety of authorship, every kind of local and temporal circumstance must be met with a desire to find the truth, not to establish a theory; the Bible must be treated 'like any other book,' and honest treatment will only establish its value. It is often found that in religious questions the last and most comprehensive word is spoken by Hooker; and the reviewer did well in quoting Hooker's warning, that 'we must take heed lest in attributing unto Scripture more than it can have, the incredibility of that do cause even those things which indeed it hath most abundantly to be less reverently esteemed.'

On the appearance of Colenso's *Commentary on the Epistle to the Romans* in December 1861, Bishop Gray of Cape Town, his Metropolitan, wrote to Archbishop Longley, urging that Colenso should be condemned, not by himself as Metropolitan, but by the English bishops, and 'that possibly the Archbishop *qua* Patriarch might try him.' The bishops met in Council in May 1862; Bishop Gray's letter was read, and was pronounced by Tait to be 'an absolute perversion of the whole book.' The bishops parted without settling any combined course of action. In the course of the year the work on *The Pentateuch and Book of Joshua* appeared, and the bishops held several meetings. At the first of these meetings (4 February 1863) they resolved, with a few dissentients, to inhibit the Bishop of Natal from preaching in their several dioceses until he was cleared of the charge of teaching false doctrine. On the 6th, after long and heated discussion, in which Wilberforce was prominent in attack and Tait in defence,

Meetings of the bishops, May 1862, February 1863.

though he also regarded with disfavour the 'rash and arrogant speculation' of Colenso, Tait[1] drew up, and forty-one bishops signed, the only dissentient being Thirlwall, an address to Colenso himself, advising him to resign his episcopal office, since by his own admission he was not able in conscience to use the Prayer Book as the law directed.

The letter, which was signed by forty-one bishops, English, Irish, and Colonial, and dated February 9, contained the following expressions :—

Episcopal letter to Colenso, 1863.

We understand you to say that you do not now believe that which you voluntarily professed to believe, as the indispensable condition of your being entrusted with your present office. We understand you also to say that you have entertained, and have not abandoned, the conviction that you could not use the Ordination Service. . . . And we understand you further to intimate that those who think with you are precluded from using the Baptismal Service, and consequently (as we must infer) other offices of the Prayer Book, unless they omit all such passages as assume the truth of the Mosaic history.

Now it cannot have escaped you that the inconsistency between the office you hold and the opinions you avow is causing great pain and grievous scandal to the Church. And we solemnly ask you to consider once more, with the most serious attention, whether you can, without harm to your own conscience, retain your office and position, when you can no longer discharge its duties or use the formularies to which you have subscribed. We will not abandon the hope, that, through earnest prayer and deeper study of God's Word, you may, under the guidance of the Holy Spirit, be restored to a state of belief in which you may be able with a clear conscience again to discharge the duties of your sacred office ; a result which, from regard to your highest interests, we should welcome with the most unfeigned satisfaction.

To resign had been Colenso's own intention, as the preface to his book intimates : but he reconsidered his position, and his reply to the bishops' letter announced his determination to take his own line. His defence was 'an appeal to the strong practical love of truth' among clergy and laity to favour such reforms as would make it possible for him and those who

[1] It is claimed for Bishop Wilberforce by his biographer (*Life*, iii. 120).

thought with him to retain their position in the Church. 'To resign my office would be to admit that my conduct had been legally or morally wrong, which I am very far from feeling.'

That the bishops should act as they did was inevitable, since men of all opinions were crying out upon Colenso. Tait spoke of his 'madness.' Pusey and Keble openly condemned the book; Liddon spoke of 'its direct result of promoting thorough-going disbelief of the truth and contents of Scripture'; Lord Shaftesbury called it a 'puerile and ignorant attack'; so moderate a man as Lightfoot thought the book would 'do a vast deal of harm,' and divide men into two extreme parties; Bishop Ewing of Argyll, a strong Liberal, 'had no sympathy' with the writer.

The question came up in both Houses of the Convocation of Canterbury. On February 11, 1863, Archdeacon Denison moved for a request to the Upper House to give directions for the appointment of a Committee to consider and report upon the book on the Pentateuch. Important as the subject was, only six bishops were present, and the motion for the appointment of a Committee was carried by three votes to two, those of Tait and Thirwall. Denison once expressed the opinion that in all cases the proposer of a Committee should be its Chairman, and should write the report of the Committee before it sat. On this occasion he had said in Convocation that he desired the Committee not to inquire into the case, but to condemn the writer. It was like Thomas Cromwell's famous memorandum for the 'trial and execution' of the Abbots of Glastonbury and Reading.

Committee of Convocation appointed, 1863.

The report, drafted by Denison, but greatly altered, was signed by the Chairman in the name of the Committee, among whom were Dean Stanley, Professor Harold Browne, and other representatives of different schools of theology, and sent up to the Upper House, where the substance of it was adopted (19 May), Thirlwall alone dissenting, in the following terms: (1) That the 'said book does in our judgment involve errors of the most dangerous character, subversive of faith in the Bible as the Word of God. (2) That this House, having reason to believe that the book in

Vote of Convocation, May.

question will shortly be submitted to the judgment of an ecclesiastical court, declines to take further action in this matter at this time; but that we affectionately warn those who may not be able to read the published and convincing answers to the work which have already appeared, of its dangerous character.'

In April 1863 Bishop Gray returned to Cape Town, and soon after his arrival received (12 May) a letter signed by the dignitaries of the diocese praying him to take action. Upon this a summons was issued to the Bishop of Natal to appear before his Metropolitan on November 17, 1863; and on that day the Bishop with his assessors, Bishops Twells of the Orange Free State and Cotterill of Grahamstown, sat in St. George's Cathedral, Cape Town, to try the case. In the meantime Bishop Gray was himself the defendant in an action (Long *v.* the Bishop of Cape Town), which threw a new and unexpected light on the matters in question; since in the final hearing of it (24 June 1863) the Judicial Committee of the Privy Council pronounced that the letters patent issued to the Bishop of Cape Town in 1853 were informal and invalid, and that the Bishop had no such coercive jurisdiction as the letters patent professed to give him.

Colenso summoned to appear before the Bp. of Cape Town.

Long *v.* Bishop of Cape Town.

The letters patent constituting the See of Cape Town, issued in 1847, at which date the legislative authority of the Colony was vested in the Crown, granted the Bishop episcopal authority, and made him subject to the Archbishop of Canterbury in the same manner as a bishop of any see within the province of Canterbury. This provision was also made in letters patent issued in 1853, when the diocese of Cape Town was divided, and Bishop Gray resigned his see and was appointed anew by letters patent, dated December 8, to the reconstituted see of Cape Town. But between the issue of the letters patent of 1847 and those of 1853 the Crown had granted a constitution to the colony, and thereby ceased to hold the powers possessed by the Sovereign in a Crown colony. It followed from these facts, in the opinion of the Judicial Committee, that all jurisdiction conferred by the letters patent of 1847 ceased by

The question of jurisdiction.

the surrender of the bishopric in 1853 and the issue of the new letters; and that the letters patent of 1853 were null and void in law, and did not create any jurisdiction [1] within the colony, which had now become self-governing.

It was not clear whether the authority which Bishop Gray claimed to exercise over the Bishop of Natal was held by virtue of letters patent, or was part of the authority inherent in the office of a Metropolitan, and acknowledged by Colenso, which office purported to have been conferred by the letters patent of December 10, 1853. In his own view it was the latter; and he was advised by Dr. Phillimore that a unanimous decision of all the bishops of the province of Cape Town, all formalities being observed, would be valid; and that the courts, whether of England or the Cape, would not sanction any mere technical objections, if they were satisfied that the rules of justice had been substantially and fully observed. The judgment in Long *v.* the Bishop of Cape Town had already been published: and in Phillimore's opinion the Metropolitan's authority was not invalidated by the nullity of the letters patent, his right as Metropolitan 'being grounded not upon any independent and absolute jurisdiction, but upon the actual consent of the Bishop of Natal, and his recognition of Bishop Gray's metropolitical authority.'

Bishop Gray's own words are as follows (1864):—

'Though I have ever respected the Queen's letters patent, . . . I have never believed, or acted as if I believed, that my authority was derived from them. I have ever held that my commission was given to me from Christ through the Church. The Church, in her Lord's name, entrusted me with spiritual power. The Crown sought, but it seems sought in vain, to clothe that power with the authority of law. Dr. Colenso took the oath of canonical obedience to me as Metropolitan, both at his consecration, before the issue of the letters patent, and after their issue as his own letters patent required.'

Bp. Gray's view of his position.

The Bishop of Natal put in a letter, dated October 23, 1863, stating that he was advised that the Bishop of Cape Town had no jurisdiction over him, and therefore protested

[1] Romilly's judgment (1866) appears to conflict with this.

against the proceedings as illegal, and announced that he would appeal against an adverse judgment. The cause, therefore, was heard undefended; and the Bishop of Cape Town gave judgment on December 16, 1863, in the following terms: 'We do hereby sentence, adjudge, and decree the said Bishop of Natal to be deposed from the said office as such Bishop, and to be further prohibited from the exercise of any divine office within any part of the metropolitical province of Cape Town.' Bishop Gray said further, that he should recognise no appeal except to the Archbishop of Canterbury, and that not officially and with legal advice, but to the Archbishop in his private capacity. The terms of the sentence gave Colenso till April 16, 1864, as a time of grace in which he might recant. As he made no reply, the sentence was formally passed, and was officially served upon him on May 30.

Bp. Gray's judgment, 1863.

It is urged against Colenso that a Bishop who has recognised his Metropolitan as his judge by accepting his letters patent, and has taken the oath of canonical obedience, is bound *in foro conscientiae* to submit to the sentence of his Metropolitan, a sentence accepted by the synod of comprovincial bishops, even though not binding in secular law. The letters patent, to the validity of which Gray naturally trusted, gave him the same authority over his suffragans as is possessed by the Archbishop of Canterbury over the suffragans of the province of Canterbury. Gray's claim of the metropolitan's right to deprive his suffragan rests on the assumption that cases of heresy ought to be finally settled in the spiritual forum. This was so till the Reformation; cases of deprivation, if such occurred,[1] might go to Rome on appeal, and therefore, since the Reformation, the like appeal would be to the King in Council; as *e.g.* the case of Bishop Watson in 1699, in which, however, the Court of Delegates affirmed the Archbishop's power of deprivation. Colenso's position was clear in itself, and in agreement with the law of England; he said plainly that the Sovereign, 'is the one legislator and supreme arbiter of all causes . . . that the archbishops and bishops in England itself exercise jurisdiction in the Church, as it is delegated to

The constitutional question.

[1] Stubbs, *Constitutional History*, iii. 328.

them from the Crown, and hold their courts in the Queen's name. . . . This principle seems, no doubt, to many excellent persons very objectionable: it is styled "Erastian," and condemned as ungodly. I am not now called upon to justify it or maintain it. I merely assert that it is the fundamental principle of the Church of England.'

The Bishop of Cape Town, on the other hand, took his stand upon a doctrine of episcopal authority, which it was difficult to reconcile with the legal and constitutional position of the Church of England, however it may be in accordance with ancient church law. As for the Judicial Commitee, he wrote in April 1863: 'I desire to guard myself against any recognition of spiritual authority in the Judicial Committee as regards this Church; and I therefore feel solemnly bound to protest . . . that in accepting their judgment as a matter of law I do not admit the claim of the court, if such claim be involved in its decision, to set aside a spiritual sentence of a Bishop of the Church in Africa.' He held that 'by the laws of the Church a bishop's sentence or judgment is final and conclusive, unless or until reviewed and reversed by the Archbishop of Canterbury'; that 'synods are the constitutional bodies for making laws for the Church,' and that bishops are entitled to summon synods, the acts of which are the acts of that Church, and bind the absent as well as the present. The Bishop's argument is defective, as a practical argument, because, though it may be true that the right to summon synods and to deprive or excommunicate offending clerks has been inherent in the episcopal office from the earliest times, the position of the Church of England and its colonial branches is defined and regulated by Acts of Parliament; and a spiritual censure conveying a temporal penalty, such as that of deprivation, comes ultimately within the purview of appeal to the Crown.

Bp. Gray on 'the laws of the Church.'

Colenso made no direct reply to the sentence, and Gray assumed the charge of the diocese of Natal as vacant. Colenso now addressed a letter to the Crown, praying that he might hold his see till his letters patent were cancelled for some sufficient cause, and that the Bishop of Cape Town's action in setting up a court of criminal justice within the colony might be declared

Colenso appeals, 1864.

illegal, as well as the sentence of deposition. The appeal was heard on December 14, 1864. Proceedings before the Judicial Committee of the Privy Council followed, under protest from Gray, and Lord Chancellor Westbury delivered judgment (20 March 1865), that the Bishop of Cape Town had no coercive legal jurisdiction, and that the sentence he had pronounced was, therefore, null and void in law; the legal point having been laid down by the Judicial Committee in the case of Long *v.* the Bishop of Cape Town. It was also ruled that it was not legally competent to the Bishop of Natal to confer, or to the Bishop of Cape Town to accept, any jurisdiction founded on a submission implied in the oath of canonical obedience. Nor could the Bishop of Cape Town give appellate jurisdiction to the Archbishop of Canterbury, it being the prerogative of the Crown to receive appeals in all colonial cases.

Lord Westbury's judgment, 1865.

As soon as the news reached South Africa, the clergy of the diocese of Natal met (31 May 1865), and resolved, with only one dissentient voice, that they (1) considered the Metropolitan's spiritual power not to be affected by the declaration of the Privy Council against the validity of letters patent; (2) received Bishop Gray as their Metropolitan; and (3) were satisfied of the justice of Dr. Colenso's degradation, and rejected him as their Bishop. They also expressed a wish that the English archbishops and bishops should select a bishop for them, to be consecrated by the Metropolitan. A few weeks later (28 June 1865) the Canterbury Convocation voted the expression of their 'hearty admiration of the courage, firmness, and devoted love of the Gospel as this Church has received the same,' which had been manifested by Bishop Gray and the bishops of the province.

Declaration of the clergy of Natal, 1865.

Vote in Convocation, 1865.

The position of all concerned after the judgment was pronounced was difficult and complicated. Colenso, who held himself acquitted by the judgment, by the same judgment had apparently no legal standing as Bishop of Natal. His claim to be Bishop of Natal was as a member of a voluntary association, not otherwise recognised by the law of the colony, but subject

Position of the several parties, 1865.

to any rules which such associations might make, 'rules for enforcing discipline within their body which will be binding on those who expressly or by implication have assented to them' (and therefore not binding on the dissentient clergy, nor on the laity, who had not been consulted); but no such rules had been drawn up, nor had any provincial synod sat. Colenso's present subordination to his Metropolitan was not binding in law, for in law no such relation existed, and in conscience only so far as the bishop of an English diocese owed obedience to his Archbishop. Since, however, Colenso considered himself to be Bishop of Natal, and justified in exercising episcopal functions in that diocese, it would seem to follow that he considered Bishop Gray's provincial authority to be valid in the same manner as his own diocesan authority; but he was not bound to admit his Metropolitan's right to deprive finally for heresy, nor to forego his own right of appeal to the Crown; supposing, that is, that there can be an appeal against a sentence which is null in law.

It was argued on constitutional grounds in favour of the metropolitical jurisdiction of the Bishop of Cape Town, and against Lord Westbury's judgment, that under a statute of Edward III., which states that 'the Church of England is founded in the estate of prelacy within the realm of England,' the Crown has power to create bishoprics in its possessions beyond seas; and that by the universal law of the Church a bishop has order and jurisdiction. Again, the Act of Henry VIII. (21 Henry VIII. c. 20), re-enacted by Elizabeth, gave power to the Crown to create bishoprics beyond the seas, with the jurisdiction which in ecclesiastical law belongs to a bishop; and this power is part of the Royal prerogative, and cannot be impaired by acts of colonial legislatures. The ancient church rule concerning patriarchs, primates, metropolitans, suffragan bishops, so far as it can be ascertained, and provided that, when ascertained it is consistent with the legislation of Henry VIII., was not abrogated by any subsequent legislation. It was also pointed out that there were other instances of colonial bishoprics erected by letters patent after constitutions had been granted to the colonies in question, such as Nova Scotia, Quebec, Newfoundland, Tasmania, and New Zealand. The consequence of this judgment would be to

impeach the validity of all former letters patent for creating episcopal sees in self-governing colonies. The judgment was accepted by the High Church party in England as loosing the bands of Erastianism. Dr. Pusey wrote, 'The judgment dissolves all legal jurisdiction which was supposed to exist in the African Church, but only to make an opening for divine order. . . . The Church of South Africa, then, is free, and this freedom is far better than a temporal jurisdiction created by the State.'

Colenso was in England from 1863 to 1865; he returned to his diocese in November 1865, and declared his intention of preaching in the Cathedral of Maritzburg on Sunday the 17th. The churchwardens protested, and made arrangements for closing the Cathedral, but on presenting an interdict from the Chief Justice, the Bishop was admitted after the churchwardens had read a protest against the interdict. The churchwardens denied admission to the Bishop, and said that his persistence in the attempt to enter would be looked upon as an act of violence. The Bishop replied, 'I am come to discharge in this church and diocese the duties committed to me by the Queen,' and disregarding the recital by the Dean of the sentence of deposition, proceeded to the chancel, robed there, read the service, and preached.

Colenso takes possession of Maritzburg Cathedral. Protest of the church wardens, 1865.

The sentence of the Greater Excommunication was issued by the Metropolitan on December 16, 1865, and read from the altar in the cathedral of Maritzburg by the Dean on January 5, 1866. The sentence was worded as follows:—

Sentence of Greater Excommunication read in Maritzburg Cathedral, 1866.

'In the name of our Lord Jesus Christ, we, Robert, by divine permission Metropolitan of the Church in the province of Cape Town, in accordance with the decision of the bishops of the province in synod assembled, do hereby, it being our office and our grief to do so, by the authority of Christ committed unto us, pass upon John William Colenso, D.D., the sentence of the Greater Excommunication, thereby separating him from the communion of the Church of Christ, so long as he shall obstinately and impenitently persist in his heresy, and claim to exercise the office of a bishop within the province of Cape Town. And we do hereby make known

to the faithful in Christ, that being thus excluded from all communion with the Church, he is, according to our Lord's command, and in conformity with the provisions of the thirty-third of the Articles of Religion, "to be taken of the whole multitude of the faithful as a heathen man and a publican" (Matt. xviii. 17, 18).

'Given under our hand and seal this 16th day of December 1865. R. CAPE TOWN.'

Colenso's letter to Gray, 1866.

Gray appealed to Colenso to resign his position as Bishop of Natal, in deference to the 'general voice of the Church . . . clearly expressed not in England only, but by the synods of many colonial churches, and of churches in Scotland,' and by the unanimous vote of the Provincial Synod of Convocation and of the General Convocation of the Church in America; or to submit to the decision of 'the nearest approach to a national synod which we can obtain.' Bishop Colenso replied (1 January 1866) to this appeal that he held his commission from the Queen, and could not lawfully admit any other judicial authority; and that he could not refer his cause to judges who had condemned him already. He offered to submit his writings to the Archbishop of Canterbury, not personally, but sitting in his ecclesiastical court; but reserved his appeal to the Crown.

His position as bishop.

From a spiritual point of view the Bishop of Natal, deprived by his Metropolitan, rejected by the clergy of his diocese, condemned by the bishops of the Church of England and other churches in her communion, censured by Convocation, and finally excommunicated by his Metropolitan, could not have held his position as bishop in any Church which maintained ecclesiastical discipline, and possessed a right of managing its own affairs. The See of Natal was vacant, according to the opinion of clerical judges; but on the legal side, when the trustees of the Colonial Bishoprics Fund stopped the Bishop's salary, he obtained a judgment in his favour (Colenso *v.* Gladstone, 6 November 1866); and he still kept possession of the temporalities of the See of Natal, and enjoyed certain rights as trustee of church property; including possession of all churches and church property within the diocese of Natal.

The clergy and laity of the diocese ignored the *de facto* Bishop of Natal, and proceeded to elect a Bishop of Maritzburg to preside over the diocese. Their choice fell upon the Rev. William John Butler, Vicar of Wantage, and afterwards Dean of Lincoln, a man of great energy and courage, and recommended by Pusey: he was elected by a meeting of clergy and laity of the diocese of Natal on October 25, 1866. But many difficulties arose; Butler withdrew (30 October), at the request of Archbishop Longley, as being a man of 'very marked opinions.' No one could pronounce as to the legality of the consecration of a new bishop in England, in South Africa, or in Scotland; the controversy seemed endless.

W. J. Butler's election, 1866.

Meanwhile, the Bishop of Cape Town, beaten in the law courts, determined to rely upon the spiritualty, and if possible to engage Convocation to take action in his support. In June 1866 he submitted three questions to them: (1) whether the Church of England holds communion with Dr. Colenso and his followers, or with the orthodox bishops who declared him excommunicate; (2) whether the acceptance of a new bishop on the part of the Church of Natal would sever the South African Church from the Church of England; (3) what steps should be taken by the diocese of Natal to obtain a new bishop? A hot debate arose on these questions in the Upper House of Convocation (28 June). Wilberforce put forward with ability and eloquence the view that whatever Gray's legal position might be, his spiritual jurisdiction as Metropolitan was valid; and he moved to declare formally that the Church of England was in communion with Gray, and not with Colenso. Tait, Thirwall, Browne, and Jackson, whilst disclaiming sympathy with Colenso, saw more clearly than the High Churchmen the danger of a collision between Church and State. Wilberforce's motion was lost, and the House affirmed no more than that the Church of England was in communion with the Bishop of Cape Town.

Bishop Gray's questions to Convocation, 1866.

In the meantime the pan-Anglican Conference of bishops met at Lambeth on September 24, 1867; and on the following day, after much discussion but no vote, fifty-five bishops out of some eighty signed a declaration signifying

their 'acceptance of the sentence pronounced upon Dr. Colenso by the Metropolitan of South Africa with his suffragans, as being spiritually a valid sentence.' On the 27th, a resolution was passed in the Conference, by forty votes to three, accepting the resolution passed in the Convocation of Canterbury in June 1866, viz., that if it were decided that a new bishop should be consecrated for the Church in the province of Natal, it was desirable that a formal declaration of the doctrine and discipline of the Church of South Africa should be subscribed by all clergy on appointment, and that a bishop should be chosen by the clergy with the assent of the lay communicants of the Church.

Lambeth Conference of bishops', 1867.

The Rev. W. K. Macrorie, Vicar of Accrington, Lancashire, was chosen bishop in January 1868, but the question of his consecration caused great perplexity. After much controversy, in which Tait took the most active part, encroaching, as some thought, upon the office of the Archbishop of Canterbury, Gray, who wished for nothing so much as to be free from all State control and interference, summoned the bishops of his province from Grahamstown, St. Helena, and the Orange Free State, and on January 25, 1869, consecrated Dr. Macrorie as Bishop of the Church in Natal, with the title of Pieter Maritzburg. The last act in this long controversy, as far as the Church in England was concerned, was the declaration of Convocation in February 1868, that substantial justice had been done to the accused; and that though the sentence could claim no legal effect, the Church as a spiritual body might rightly accept its validity.

W. K. Macrorie elected bishop, 1868, and consecrated, 1869.

It is impossible not to observe on the part of Bishop Gray and his supporters a desire to promote the freedom of the Church from State control, to exalt clerical and episcopal jurisdiction, and the authority of Convocation, and to revive vague though venerable traditions of antiquity, primitive canons and constitutions unknown to the law of England; and on the other side an impatience and contempt of clerical methods. This is specially seen in Colenso, among whose faults cannot be reckoned an excessive deference to authority of book or

The two parties in the strife.

dignitary. The same feeling comes out in different forms in Stanley's intemperate advocacy of everything that bore the name of freedom, and in Tait's determination to support the claims of the State in the Church, and to have nothing to do with what he considered fanciful churchmanship. Bishop Gray was entirely one with that section of the Church of England which denied the dependence of the Church upon the State, or deplored it so far as it could not be denied; the party of Pusey and Keble, of Anselm and Becket; in doctrine, but not in politics, the party of Sancroft and Cosin. His courage and perseverance are worthy of all praise, and in most trying circumstances his temper does him honour. But his principles and his methods of action are those of spiritual despotism, and it is not to be desired that the Church of England should have many prelates of his type, either at home or in the colonies.

Death of Colenso, 1883.

The dispute between the 'Church of England' and the 'Church in Natal and Zululand in communion with the bishops of the province of South Africa and with the Church of England' continued till the death of Bishop Colenso. Bishop Macrorie was consecrated, without Royal mandate or licence, as Bishop of Maritzburg, with a diocese identical in extent with that of Natal, legal possession of which see was retained by Colenso as Bishop of Natal in the position confirmed to him by Lord Romilly's judgment in 1866. Colenso died in June 1883, six months after Dr. Benson had been made Archbishop of Canterbury, and an opportunity thus occurred for the ending of the schism in the South African Church, divided since Colenso's deposition into two communities, one claiming to be the Church of England in South Africa, the other the Church of South Africa.

End of the quarrel.

In 1891 Bishop Macrorie resigned his see, and both parties agreed to entrust to Archbishop Benson the choice of a successor. It was agreed finally that the new bishop should be accepted by all as actual and titular Bishop of Natal, the Royal mandate running in the terms of permission to consecrate in England 'a bishop to exercise his office within the colony of Natal.' The bishop nominated and consecrated was the Rev. Arthur Hamilton

Baynes, Archbishop Benson's domestic chaplain. After Dr. Baynes's consecration in Westminster Abbey, on September 29, 1893, as Bishop of Natal, the quarrel came to an end, since if the maintainers of Colenso's cause had wished to have their own bishop, they could not have got a bishop consecrated. The whole controversy was not without its effect on the relations between colonial churches and the mother church. It was apparent that the old machinery was inadequate, and had always been both inadequate and unsystematic. The oath of canonical obedience to Canterbury dropped out of use in the colonies; State endowments and State control disappeared; and by degrees it was admitted that each provincial church must manage its own business. The Lambeth conferences have been useful in bearing witness to the unity in diversity that may exist in a church system which includes independent states and nations in one frame of ecclesiastical polity.

LONG *v.* BISHOP GRAY (29 June 1863)

It was laid down by the Judicial Committee of the Privy Council, not sitting as an ecclesiastical court (24 June 1863), consisting of Lord Kingsdown, the Dean of the Arches, Sir Edw. Ryan, and Sir John Taylor Coleridge, in the case of Long *v.* Bishop of Cape Town, (1) that all jurisdiction given to the Bishop by the letters patent of 1847 ceased by the surrender of the bishopric in 1853 and the issue of the new letters patent of the same year, and (2) that the letters patent of 1853, being issued after a constitutional government had been established in Cape Colony, were ineffectual to create any jurisdiction ecclesiastical or civil within the colony. . . . The Bishop of Cape Town had therefore no coercive power *in invitos*. As the Church of England, in places where there is no established church, is a voluntary association, it may make rules for its own government, and constitute tribunals, the decisions of which are binding upon its members when any such tribunal has acted within the scope of its authority or, when rules are not prescribed, in a manner consonant with justice. But such tribunals are in no sense courts, and to enforce their decrees they must go to the courts established by law; and no such courts were established by the Church in South Africa.

By taking the oath of canonical obedience to the Bishop and accepting a licence from him, Mr. Long voluntarily submitted himself to the authority of the Bishop, so as to enable the Bishop to deprive him for any lawful cause, such as in England would authorise the deprivation of a clergyman by his bishop.

BISHOP COLENSO *v.* BISHOP GRAY (1865)

Judgment of the Lords of the Judicial Committee of the Privy Council upon the petition of the Lord Bishop of Natal, March 20, 1865.

Lord Chancellor (Westbury), Lords Cranworth and Kingsdown, Dean of Arches, Master of the Rolls.

The letters patent of December 8, 1853, by which the diocese of Cape Town was divided, and Bishop Gray reappointed to Cape Town, make the Bishop of Cape Town Metropolitan with full power and authority as Metropolitan over the suffragan bishops of Grahamstown and Natal (subject nevertheless to the general superintendence and revision of the Archbishop of Canterbury, and subordinate to the archiepiscopal See of Canterbury), in the same manner as the Archbishop of Canterbury has metropolitan authority over his suffragans in the province of Canterbury. Appeals from the judgments of the bishops lie to the Bishop of Cape Town, and from him to the Archbishop of Canterbury, who shall finally decide and determine the appeal.

The letters patent which appointed Bishop Colenso to the See of Natal were issued on November 23, 1853, fifteen days before those which re-appointed Bishop Gray to the Metropolitan See of Cape Town.

The Bishop of Natal took the oath of canonical obedience to the metropolitan Bishop of Cape Town and metropolitical Church of St. George, Cape Town, administered by the Archbishop of Canterbury, November 30, 1853.

But at that time there was not in reality any metropolitan See of Cape Town or any bishop thereof in existence.

Also previously to these letters patent being granted, the district of Natal had been vested with a distinct and separate government.

Three questions therefore arose :—

(1) Were the letters patent of December 8, 1853, valid and good in law?

(2) Was the coercive jurisdiction given by them to the Metropolitan valid and good in law?

(3) Could the oath of canonical obedience taken by the Bishop of Natal confer any jurisdiction enabling the Bishop of Cape Town to deprive?

The first and second questions are decided in the negative. The Crown had no power in 1853 to establish a metropolitan see or province, the authority of which the colony would be required to recognise. The Crown may command the consecration of a bishop, but it cannot assign him a diocese or give him any jurisdiction or coercive legal authority over the suffragan bishops or over any other person.

As regards the third question, it was not legally competent to the Bishop of Natal to give, or to the Bishop of Cape Town to accept or exercise, any jurisdiction founded on a contract or submission on the part of the Bishop of Natal, such as might be implied from the oath of canonical obedience taken by him.

Nor could the Bishop of Cape Town under the letters patent of 1853 give appellate jurisdiction to the Archbishop of Canterbury, such as was given by the [invalid] letters patent of December 8, 1853. The appeal can only lie to the Crown, whose settled prerogative it is to receive appeals in all colonial causes. The Crown has power to refer appeals to the Judicial Committee of the Privy Council, and the present case was referred to the Judicial Committee, June 10, 1864.

BISHOP OF NATAL *v.* GLADSTONE AND OTHERS
(6 November 1866)

The Judicial Committee ruled (Lord Romilly) that the plaintiff retained his legal *status* as Bishop of Natal; that though the letters patent might not confer upon him any effective coercive jurisdiction over his clergy, he could still enforce obedience by having recourse to the civil courts; and that he was entitled to the income of the see.

AUTHORITIES.—Brooke, *Six Judgments*, etc.; Brodrick and Fremantle, *A Collection*, etc. BIOGRAPHIES: *Gray*, by H. L. Lear; *Colenso*, by Cox; *W. J. Butler*, by Butler.

CHAPTER XIII

NATIONAL EDUCATION

1843–1876

THE attempt to legislate in 1843, defeated by the Dissenters,[1] made both Church and Dissent eager to extend voluntary effort; and this situation was accepted by the Committee of Council, whose object henceforward was to make the system of inspection effective without interfering with local freedom of management. During all this time the personal influence of Dr. Kay (afterwards Sir James Kay Shuttleworth), the principal Secretary, was guiding and shaping everything in the direction of a national control of education. The principle of Government inspection having been accepted by the National Society, grants of money were made to Church training colleges by the Board of Education in 1846; and the extension of the pupil-teacher system encouraged not only the Church of England, but the Roman Catholics and the nonconformist churches to establish training colleges.

Dr. Kay's activity.

An important Minute issued on August 25, 1846, dwelt upon the necessity of thorough and regular inspection, and of an improvement in the training of assistant teachers, and applied the stimulus of payment in proportion to results, leading to increase of salary and ultimately to retiring pensions; a rise of emolument being thus associated with efficiency. These regulations, whilst professedly only providing a framework of system and advice as to methods, led by means of the powerful engine

Education Department Minute, 1846.

[1] See Part I. chap. x.

of inspection to the gradual centralisation of education and the increased power of the central department. The blessings of centralisation are sometimes disputed; but no one disputes the wide-reaching importance and value of the decision taken by the Education Department, under Dr. Kay, in these early years. As the central department was bound to neutrality in matters of religion, its influence was necessarily antagonistic to dogmatic teaching of every kind. But the policy of the Board, unintentionally but inevitably, declined from the principle of neutrality, and favoured the dissenting societies as compared with the Roman and Anglican Churches, in proportion as they set less value upon the dogmatic principle.

Policy of the Education Department. Centralisation unfavourable to denominational education.

By 1851, twenty-five training colleges were in existence, educating some 6000 students; 3800 schools, accommodating 540,000 children, had been built, at a cost of more than a million, of which sum the State contributed nearly one-half; the annual grant from Parliament had risen to £160,000. 'When we remember,' says Sir Henry Craik, 'that all this was carried out solely by the agency of departmental Minutes, and without the intervention of a single definite act of the Legislature, we may well doubt whether any change so momentous in its effect upon the country had before been wrought by an agency so simple. The Legislature, at the most, tacitly acquiesced in the Minutes; it did not deliberately ratify them.'

Increased school building.

The Minutes of 1846 were brought under the consideration of Parliament in 1847 by Lord Lansdowne, who remarked that they did not need parliamentary confirmation. He further stated, what has been stated many times both before and since, that the main obstacle in the way of a comprehensive plan of national education was 'the sectarian jealousies between the two great bodies of Churchmen and Dissenters,' who, as Lord Brougham said in the course of the debate, 'loved education much, but controversy more.' Lord John Russell in the Commons asked for a grant of £100,000; he described at length the action of the Education Department since it was constituted in 1839, and claimed the support of the House, not on the ground that his plans were perfect, but that they gave hope of

Parliamentary discussions, 1847.

Lord John Russell.

leading to a more general and a more perfect scheme. The occasion is noteworthy from the fact that in this debate Macaulay issued one of his monumental orations—orations which are not quite oratory, as his poems are not quite poetry, but literature of a high order and effective as such—in which he stated his belief, supported by a great array of historical learning, that 'the gross ignorance of the common people is a principal cause of danger to our persons and property,' and that it was therefore one of the chief duties of a government to take care that the people should not be grossly ignorant. His arguments seem trite nowadays; but in 1847 the principle of *laissez-faire* was in the ascendant, and Macaulay showed independence of mind as well as sound judgment in upholding the action of Government where it could act beneficially. Sir Robert Peel supported the Government on the ground that voluntary effort had failed, and that therefore the exercise of State authority was inevitable, and must be accepted in order to reinforce, not to supersede, individual liberality. He dwelt on the national danger attending the growth of population. 'What,' he asked, 'is to become of the eight hundred children who are born every day? what is to become of the 300,000 persons who are every year added to the population?'

T. B. Macaulay.

Sir Robert Peel.

An important principle made its appearance about this time (1850) in connexion with the movement for secular instruction, viz. that of payment not by school pence, but through a local rate. The Association for the Secular Education of the County of Lancaster was formed with this object; and in the year 1850 W. J. Fox, Member for Oldham, introduced a bill for secular education in England and Wales, under which local boards were to be created, empowered to apply rates to school purposes. School fees were to be abolished, and payment made by local grant, but no grant was to be levied in respect of any but secular teaching. Fox spoke of two classes of difficulties, one arising from indifference, the other from zeal. Neither the Church of England nor the Dissenters were anxious to accept grants, but the funds of both had fallen off, and both Church and Dissent must be dependent upon State aid. His belief was

Fox's local rate bill, 1850.

that education helps religion more than religion can help education, and that money spent on education was the best insurance against crime. He reminded the House of the old contention between the clergy and the Useful Knowledge movement, the fear of what fruit might grow on the tree of knowledge. But, said Fox, 'I do not believe that the mountains and stars teach infidelity, or the waves and winds heresy.'

The opposite view was urged by the intemperate common sense of Roebuck and the cultivated indifferentism of Monckton Milnes; Roebuck inveighing against clerical love of power, and quoting the *Tale of a Tub* to the effect that 'Jack was very like Peter,' and Milnes maintaining that to raise the standard of intelligence was the chief thing. The general sense of the English people was fairly expressed by Lord Ashley. In this bill, he said, the State was to declare that, having undertaken to educate the people, it would withhold the one thing needful, and refuse to give that which alone conferred force and efficiency upon all the rest. Seven-tenths of the people were willing to be taught religion by the Church of England, and all to be taught according to the Scriptures. How could good and moral citizens be made without the perpetual sanction of religion? From these theoretical heights we descend to the level of officialism in the speech of Lord John Russell, who opposed no other arguments to the Secularist position than that the religious bodies objected to secularism, and that to adopt a secularist solution would involve the destruction of existing schools. Nothing, therefore, was done in this nor in the following session.

Roebuck.

Lord Ashley on religious education.

In the same year (1850) the Church party took umbrage at some 'Management Clauses' put out by the Committee of Council, requiring the creation of committees of management, including laymen. It was thought that the Department intended to bring all schools under State control, and grants were declined in many cases for this reason.

Management Clauses, 1850.

The chief hindrance to national education between 1846 and 1870 was the disproportion between the funds needed to provide education for a rapidly growing population, and

the sum contributed by voluntary offerings from denominational sources. The tendency of events, however dimly perceived at the time, was towards uniformity, local control, payment by rate or tax in place of school fees, and the gradual absorption of the voluntary or denominational schools in the public or undenominational. The centralising influence of the Board of Education, necessarily neutral in religion, was exerted in the direction of effectiveness; and rightly so, though the effectiveness which can be measured by examination and tabulation of results is not everything. But the churches were resolved that even if they must give up their monopoly of education, they would not give up all share in the control of it.

Centralisation and uniformity.

During Lord Aberdeen's Ministry Lord John Russell brought in (4 April 1853) an Education Bill, commonly known as the Borough Bill. He gave statistics of schools and scholars, from which it appeared that in 1851 the number of Church schools was, in round numbers, 17,000, with a million scholars, of other schools of every description 20,000, with 354,000 scholars. Other statistics showed that the proportion of Dissenters to Church people had risen in fifty years from a quarter to a half. He did not think it possible to unite the children of different religious communions throughout the country in one plan of education. Free education was not demanded then; on the contrary, Lord John drew attention to the willingness with which the working classes had contributed in school pence nearly half of the whole sum expended. He proposed to authorise corporate towns to levy a school rate, which was to be applied in aid of voluntary effort and of school pence paid by the parents of the children. The Borough Bill was intended to stimulate collective, not individual liberality. The introduction of the school rate principle marks a step in advance; but the Government did not proceed with the bill.

Russell's Borough Bill, 1853.

The next action of the Committee of Council, again acting independently of Parliament, was to introduce a system of capitation grants payable to the managers as a premium on the regular attendance of scholars. These grants worked so

well in encouraging schools to do their best, that they increased tenfold in four years (1854-1858). The appointment (1856) of the Vice-President of the Council to the charge of the Committee of Council on Education was a step in the direction of a Ministry of Education.

Vice-President of the Council, 1856.

In successive years several measures were brought forward, but no legislation took place; and in 1858, by the action of Sir John Pakington, a Commission was appointed, with the Duke of Newcastle as its Chairman, to inquire into the state of popular education. For it was also thought that the time was come for a thorough investigation of methods, and a statement of principles for the development of a national system. In their report (written by FitzJames Stephen), which was issued in 1861, the Commissioners stated that schools were spread thinly but uniformly throughout the country, and that religious scruples raised no great difficulties; but that only a million and a half out of two millions and a half of children within the limits of the school age were receiving public instruction. The Commissioners note the principles accepted on all hands, and taken on from former practice, viz. the principle of assisting local efforts, and the principle of religious neutrality. Apprenticeships, scholarships, grants to training colleges, and capitation grants for school attendance had been instituted to fortify the voluntary system, and the sum thus spent in twenty years amounted to more than four millions.

Duke of Newcastle's Commission, 1858, 1861.

Progress made since 1846.

The whole subject was then, as now, much affected by religious disagreement. Yet Nonconformist children attended Church schools, Church children dissenting schools, both in town and country, except in Wales; even Roman Catholics, Unitarians, and Jews were to be found in schools of all sects. The difficulty arose, where it existed, chiefly from the exclusiveness of managers, who were themselves in many cases either the nominees of the clergy or appointed with their approval. Frederick Temple, afterwards Archbishop of Canterbury, in his evidence before the Commission, said that 'he did not anticipate much religious discord in consequence of the proposal to rate the country for purposes of education . . . in the towns the

Religious difficulty fostered by clergy and managers.

different denominations had their separate schools'; in most country parishes the Dissenters would be quite content with the right of withdrawal from religious instruction, and would acquiesce in leaving the schools in the hands of the clergy. He did not fear the diminution of true religious zeal, though sectarian zeal might diminish. The religious difficulty appears to be, for the most part, an artificial difficulty, created, not by parents, but partly by the political exigencies of dissent, partly by the clerical profession, whether Anglican, Nonconformist, or Roman Catholic.

Lowe's Revised Code, 1862.

The report of the Commission recommended the establishment of county Boards of Education, with power to raise an education rate for payment of capitation grants on the results of an examination of the scholars in reading, writing, and arithmetic, to be conducted by county examiners. The general conduct of the schools was to be in the hands of the Department, guided by the reports of its own inspectors. Robert Lowe, who was appointed Vice-President of the Committee of Council on Education in 1859, collected all the Minutes of the Committee issued since 1846 into a code, and after the Commission had reported, published the Revised Code of 1862, which held its ground till 1870. The object of the Government was to make education effective, not religious. Effective it was not; Lowe spoke of 'an inadequate quantum of teaching, a loose test of efficacy, far too expensive machinery, and a decline of the voluntary spirit.' The voluntary spirit could not be revived, and some new stimulus was needed. The stimulus which Lowe proposed was payment by results; in lieu of all other grants,

Payment by results.

a capitation grant for a sufficient number of attendances in a properly conducted school under a certified master. The conditions were not hard, extending no further than an examination of each child in reading, writing, and arithmetic, and plain needlework for girls; registers properly kept, no gross faults in management, good buildings in sanitary condition. Inspectors, who, as heretofore, were to be clergymen of the Church of England, 'servants in some

Inspection.

degree' of the Archbishops of Canterbury and York, were to act as examiners, and report, not only upon examination results, but every school was to be judged 'by

the standard hitherto used, as regards its religious, moral, and intellectual merits.' Lowe did not believe in a 'Science of Education.' Instead of a philosophical scheme he put before the teachers the plain argument of so much payment for so much knowledge imparted, as tested by examination. Those were the palmy days of examination; the evils of competition were not foreseen, while the advantages of free competition and non-interference, in all circumstances and under all conditions, were exaggerated.

The changes introduced into the system by Lowe did not directly affect religious teaching: but the Revised Code was vehemently attacked in both Houses of Parliament in the session of 1862, principally on the ground that too much importance was given to the elements of education, and too little to moral and religious motives. It was felt also that the independent and autocratic methods in favour with the Board of Education pointed to a transfer of power from the clergy to the Department. The Revised Code put the administration of the public funds devoted to education more completely under Government regulation than before; it codified, and so limited the field of voluntary experiment; in Disraeli's words, it abolished, without parliamentary discussion, that which had 'been obtained in a quarter of a century by a gradual system of experiment and natural development which redounded much to the credit of those who took part in it.'

Objection to the Revised Code.

As time went on, and the guidance of education passed more and more from the National Society and the clergy to the central Board, the fear of secularism was increased. The clergy made efforts almost beyond their power. Sir John Pakington computed that the clergy paid out of their own pockets twice as much a head as the landowners, five times as much as the householders, more than ten times as much as the farmers. The clergyman 'is the man who most feels the mischief arising from want of education. . . . He feels that the only means of improvement is the education of the young; and he knows that only a small part of the necessary expense can be extracted from the parents. He begs from his neighbours, he begs from the landowners, . . . he begs from his friends, even

Efforts of the clergy.

from strangers; and at last submits, most meritoriously and most generously, to bear not only his own proportion of the expense, but also that which ought to be borne by others.'

Pressure upon voluntary schools.

The growth of town populations is unfavourable to the denominational system, since the poor, of whom the increase consists, are not able to contribute large sums from their income, and the richer neighbours will not supply the deficit. Hence it results that the expense of maintenance and enlargement of schools, beyond what is defrayed by parliamentary grant, falls upon the rates, and carries with it the right of control. From various causes the supply from private contributions did not meet the demand, increased as that was by a higher estimate of educational needs; and it became evident that sooner or later national education must be seriously taken in hand as a national burden. The problem before the country, though not yet clearly stated, was the transference of part of the burden of public education from grants paid out of imperial taxes to county and borough rates; a change which would carry with it the transference of the controlling and managing power, altogether or substantially, from the religious communions and societies, and the central department acting through them, to the ratepayers. This result would be quickened by the tendency of the local rating system to discourage voluntary exertions; since experience shows that ratepayers are inclined to measure their moral by their legal responsibility, and are not willing to keep up a subscription as well as pay a school rate. So it has turned out in fact. The increase of town population intensified the local inequality of pressure upon voluntary schools, for neither church nor chapel could keep pace with this increase; the denominational schools became impoverished, and could not keep up to official requirements; the power of management passed from voluntary associations of subscribers, partly to managers responsible to the local rating authority, partly to the central department, which could impose regulations greatly affecting expenditure; the tide of popular opinion set in favour of public control; all pointed to a solution unfavourable to the denominational principle.

The Revised Code of 1862 marks a point in the history

of British education, as introducing a direct appeal to pecuniary interests. The plan of payment by results has much in its favour, and must indeed form part of every effective organisation. But one certain consequence of a plan which attaches rewards to a pass examination is to make it the teacher's interest to secure as many passes as possible, and therefore to make the minimum his standard. The higher side of education, and especially religious education, in such circumstances runs a danger of being postponed to mere mercenary considerations; as Matthew Arnold complained, intelligence was in danger of being subordinated to mechanical processes; and this is only one aspect of the common experience that when rewards are given by examination, the examiner, not the teacher, settles what the education is to be, and it becomes the teacher's object to satisfy the examiner, not to educate the child.

Consequences of payment by results.

The operation of the Revised Code was to diminish the funds subscribed for school building, and the parliamentary grant proportionately. It tended also to some extent to lower the more intellectual standard of the best schools; and it caused much alarm in religious circles. This uneasiness and discontent is an indication, not only of partial failure, but also of a quickening of the national conscience; and a growing sense of the importance of national education is to be reckoned among the causes which led to a more thorough effort to solve the problem in the years preceding Forster's Act of 1870.

National education occupied a large space in public interest during the years which followed the imposition of the Revised Code in 1862. Lord Palmerston's death in 1865 removed many obstacles to movement. The Revised Code had worked fairly well; that is to say, the proportion to the population of children under education was larger, and the number of passes gained greater. Both Conservative and Liberal Ministries now gave their attention to the subject; the growth of education in a quarter of a century of local control had shown the limits of voluntary effort, and was bringing home to the conscience of the nation the duty of action in the matter, and the shortcomings of the

The Revised Code.

existing system. The question was not 'what shall we do with these children?' but 'what will they do with us?' for prison statistics showed the connexion of ignorance with crime. About one-third of the children in the country were being educated, and schools for about one-half existed; for the rest there was little or no provision made, and there was no power to enforce attendance. The annual grant of £20,000 which was made in 1839 to the National and British Societies had now grown to half a million, and the Committee of Council had practically become a department of the Administration. It was clear that the completion of the work could only be effected by Parliament.

The two opposing parties, in view of approaching legislation, were busy in agitating, and the undenominational forces were first in the field. A conference held in Manchester, in January 1868, was attended by members of Parliament and other persons interested in education, among them a group of Lancashire men, Lucas, Jacob Bright, Hodgson, and others, who had founded the 'National Public School Association,' the object of which was to promote the establishment of free secular schools, supported by local rates, and managed by special local committees; the duty of inculcating religion was left to parents and religious teachers, whilst facilities for religious teaching would be given. The Manchester Committee was a compromise between secularists and religionists.

'National Public School Association.'

In July 1867 A. H. Bruce, Member for Merthyr Tydvil, brought in an Education Bill prepared by the Manchester Association, and based upon the admission that the rating system was the only practical solution of the difficulty. The schools were to be denominational or not, as the local committees, to be appointed under the bill, should determine. The bill was not pressed to a division, but the subject of national education was introduced into the Queen's Speech on November 19, 1867. Bruce brought forward another Education Bill in 1868. The Duke of Marlborough also proposed a Government measure. But Ministers, weakened by their defeat on the Irish Church, were only holding office till the general election, and no serious legislation could be expected of them. Gladstone came into

Abortive bills, 1867, 1868.

power at the end of the year (5 December 1868), and the following session (1869) was occupied with the Irish Church Bill.

In the meantime the Birmingham Education League was organised by Dixon and Jesse Collings in 1869. Its principles were universal education, provided by local authorities by means of local rates and parliamentary grants. It was proposed that all rate-aided schools should be managed by local authorities and inspected by Government, and that the State or the school authorities should have power to compel attendance. Before many months local committees were formed in London, Manchester, and most of the great towns; and a meeting of the League took place in Birmingham, October 12, 1869. A question was asked at this meeting as to religious instruction, to which Mr. Dixon replied that the word 'unsectarian' excluded all dogmatic and all theological teaching, and all creeds and catechisms, and also that if the Bible were read, it must be without note or comment. This definition of the word 'unsectarian' reduced religious teaching to a *caput mortuum*: and it might be said, not unfairly, that the Nonconformists, in opening the door to let out the parson, had let in the unbeliever. The members of the League, lay and clerical, were of all varieties of religious opinion except Roman Catholicism; they were without exception Liberals in politics.

Birmingham Education League, 1869.

No sooner was the League in existence than an Education Union was started at Birmingham and Manchester, with the avowed object of counteracting the efforts of the Birmingham League. The object of the Union was to maintain the existing system of education as far as possible, and to make it universal. Its political and religious character was indicated by the constitution of the Committee, which included all the Bishops and Archbishops, and many peers; Cowper Temple was the only prominent Liberal on the list. Meetings were held, and a bill was already prepared, when it was announced that the Government intended to bring forward an Education Bill, and that W. E. Forster, Member for Bradford and Vice-President of the Committee of Council on Education, was to be in charge of it. Both parties had

Education Union, 1869.

Government takes up the subject of education, 1870.

arrived, though by different roads, at the point of preparing the way for a change from local to national, from voluntary to compulsory methods; the principal points of difference were how far the voluntary principle should be maintained, whether denominational or undenominational religious teaching should prevail, whether the churches should be encouraged to make up leeway, or advised to prepare for the absorption of their endeavours in a national scheme of education; in what proportion expenses should be provided by gifts, fees, rates, and parliamentary grants. All were agreed on the necessity of a national system of elementary education.

Forster's bill, April 1870.

Forster introduced his Elementary Education Bill on April 17, 1870, in a clear and powerful speech. He dwelt on the duty owed to the parents, the constituencies, and the tax-payers. He declared his intention to be not to destroy the existing system in introducing a new one, nor to injure existing and efficient schools, but to complete the voluntary system, to 'fill up gaps,' sparing public money, and procuring as much as possible the help of parents and of benevolent co-operators. The bill divided England and Wales into school districts conterminous with boroughs and civil parishes. Inquiry was to be made in all districts by inspectors sent down to report. Those districts in which the elementary education was 'sufficient, efficient, and suitable' were to be left untouched; where it was insufficient, public elementary schools were to be provided, and kept up to a parliamentary standard of efficiency, subject to inspection without denominational conditions; and all were to submit to a conscience clause worded as follows:—

Conscience clause.

'No scholar shall be required, as a condition of being admitted into or of attending or of enjoying all the benefits of the schools, to attend, or to abstain from attending, any Sunday school, or any place of religious worship, or to learn any such catechism or religious formulary, or to be present at any such lesson or instruction or observance as may have been objected to on religious grounds by the parent of the scholar, sending his objection in writing to the managers or principal teacher of the school or one of them.' This clause applied to all schools, secular as well as denominational. Secular schools

which did not accept the conscience clause would receive no grant.

'As for the ways and means,' said Forster, 'voluntary local agency has failed, therefore our hope is to invoke the help of municipal organisation'; the principle was that of rates aided by money voted by Parliament, and expended under local management, with central inspection and control. Where the supply of education was insufficient or inefficient, the machinery was to be worked by School Boards, freely elected by the district. It was computed that one-third of the expense would be met by fees, one-third would fall upon the Exchequer, and one-third would be provided out of local rates. In order to give the existing schools a fair chance, a year of grace was to be given, during which improvements might be made, and efficient schools set up.

Municipal organisation: local rating and Government grants.

On the question of religion, it must be remembered, he added, that most of the children in the schools were under ten years of age. 'We want a good secular teaching for these children, a good Christian training, and good schoolmasters. We want these schoolmasters certainly not to feel themselves fettered in any way; but children of these ages can hardly be supposed to require doctrinal or dogmatic teaching to any great extent.' School Boards were also empowered to assist existing schools, provided that these came up to a required standard of secular efficiency, and had the conscience clause. To the question, why the State should not confine itself to secular teaching, he replied, 'If we did so, out of the religious difficulty we should come to an irreligious difficulty. We have no doubt whatever that an enormous majority of the parents of this country prefer that there should be a Christian training for their children; that they should be taught to read the Bible. . . . But then it may be said that we ought to have no dogmatic teaching. But how are we to prevent it? Are we to step in and say the Bible may be read, but may not be explained? Are we to pick out Bible lessons with the greatest care, in order that nothing of a doctrinal character might be taught to the children?' He might have said more; he might have pointed out that English people value Bible teaching because it is

Religious question.

religious, that is, moral with a divine sanction, and that the assumption of a divine sanction is necessarily a dogmatic assumption. 'Surely the time will come,' said Mr. Forster, 'when men will find out that on the main questions of religion they agree, and that they can teach them in common to their children. . . . It is the remembrance of the past that forbids us to exclude religion from the teaching of our schools. . . . The English people cling to the Bible, and no measure will be more unpopular than that which declares by Act of Parliament that the Bible shall be excluded from the school.'

Nonconformist objection to dogmatic teaching.

The most practical objection to leaving the denominational question to be settled by each district for itself was, that 'it would be fought over every year in every parish in the land': and, it may be added, in most parishes the religious teaching would be handed over to the Church of England. 'The denominational principle,' said H. S. P. Winterbotham, Member for Stroud, speaking in the interest of the Dissenters, 'if thus established by Act of Parliament, would revive the church rate controversy. The denominational system of education which we dislike, . . . and which you in vain try to palliate with a conscience clause, is to receive an indefinite expansion, all its evils being intensified tenfold.' . . . 'To understand the attitude of dissent towards the Church,' said Winterbotham, 'the attitude of the Church towards dissent must be considered; an attitude, speaking generally, of dislike and contempt, varying only in degree from simply ignoring it to petty social persecution. This state of feeling is due to two causes. It is due, no doubt, primarily to the mere existence of an established Church, intensified as its evils are by the parochial system. The law of the Church and of the land recognises one man, and one man only, as the authorised religious teacher of the parish: all others are interlopers, trespassers, poachers on his spiritual preserve. And this is further increased by new-fangled Romish doctrines, with which we thought England had long since done, of priestly power and the necessity of episcopal ordination. . . . We cannot brook the assumption of superiority, which, whether in the form of tolerance or intolerance, is all we generally receive from the clergy of the established Church.'

These words are worth transcribing, since they put in clear language the nonconformist grievance, and display the nonconformist intolerance. According to the nonconformist creed, thus set forth, but not according to English custom and precedent, inequality is injustice, and the right of the minority ought to override the right of the majority. It is interesting to compare with these words what Dean Church wrote on May 28: 'The position of the Church of England, whether disestablished or not, will soon undergo a great change. Forster's Education Bill was meant to be studiously impartial in its dealing with religious teaching. Its effect would have been to leave everybody free: but where there was no preponderating religious tendency in the direction of nonconformity, as is generally the case in the country, there the Church, from legal position, tradition, usage, and because the parson was the person on whom the expense and trouble of schools had long fallen, would have an advantage, because there was really no rival influence. But this has stirred the antagonism of the Nonconformists generally, and they have thrown themselves on the secular, and really the unbelieving side, rather than let the Church get an additional hold on the country.'

Intolerance.

The bill was welcomed by all parties and in both Houses of Parliament as a manly attempt to deal with an acknowledged difficulty. The *Times* praised Mr. Forster's speech in introducing it as 'a genuine triumph,' and spoke in well-judged words of his manner of speaking: 'a kind of rugged eloquence, often more forcible than the smooth periods of recognised oratory.' The bill 'uses what it finds existing, supplies what it finds wanting. . . . The free education demanded by the League would have practically destroyed existing schools'; it was unnecessary, for the great majority of parents could afford to pay school fees; to propose free education was 'an outrageous slur upon parents,' implying that those who could pay would not, and an opening of flood-gates to every kind of socialistic demand.

Favourable reception of Forster's speech.

In the course of the debates on Forster's bill, Vernon Harcourt proposed that in all rate-aided schools religious teaching should be 'undenominational in its character and

confined to unsectarian instruction in the Bible.' The Prime Minister (W. E. Gladstone) would have nothing to say to this; but he accepted a clause proposed by W. Cowper-Temple, Member for South Hants, which forbade the use in Board Schools of any catechism or formulary distinctive of any denominational creed, whilst permitting school teachers to expound as well as read the Bible. Mr. Richards, a Nonconformist, proposed that attendance should be universally compulsory, and that the religious teaching should be supplied by voluntary efforts, and not out of public funds; and this had the appearance of being a more logical, complete, and comprehensive plan than the compromise which recommended itself to the Government as well as to the country; for neither in 1870 nor in 1906 was the nation at large willing to accept the secularist solution. The Cowper-Temple clause was avowedly a compromise. The granting of a year of grace to the voluntary party, in which to make up deficiencies of equipment, was a concession to the denominationalists, and chiefly to the Church, and was hotly denounced by the opposite party. In the end, it was reduced to a term of six months.

The Cowper-Temple clause.

Gladstone himself did not take a conspicuous part in the debates upon the Education Bill. 'In the new scheme of national education established in 1870,' says Lord Morley, 'the head of the Government rather acquiesced than led. In his own words, his responsibility was that of concurrence rather than of authorship. His close absorption in the unfamiliar riddles of Irish land, besides the mass of business incident to the office of Prime Minister, might well account for his taking a small share in the construction of the Education Bill. More than this, however, his private interest in public education did not amount to zeal, and it was at bottom the interest of a Churchman.' 'I have never made greater personal concessions of opinion than I did on the Education Bill to the united representations of Ripon and Forster.' What Gladstone cared for was the integrity of religious instruction. What he disliked or dreaded was, in his own language, 'the invasion of that integrity under cover of protecting exceptional consciences.'

Gladstone's attitude.

On July 14 it was decided at a Cabinet meeting to make

'more general use of the machinery supplied by voluntary schools' (*i.e.* to give facilities for preferring the voluntary to the Board system) in order to avoid religious controversy in local boards. Lord Morley's comment upon this is, 'This meant that the new system was in no way to supersede the old non-system, but to supplement it. The decision was fatal to a national settlement. . . . Instead of the School Boards being universal, they should only come into existence where the ecclesiastical party was not strong enough in wealth, influence, and liberality to keep them out. Instead of compulsory attendance being universal, that principle could only be applied where a School Board was found, and where the School Board liked to apply it. The old parliamentary grant to the denominational schools was to be doubled. This last provision was Mr. Gladstone's own.' We may surmise, though Lord Morley does not say so, that this alteration was proposed by the Prime Minister in the interest of the Church in the country parishes. In Gladstone's mental and spiritual composition the conservative and destructive elements were strangely mixed, and the churchman had sometimes the better of the liberal politician.

Concession to denominational schools.

To the so-called Secularists Gladstone replied, in words worthy of attention: 'You ask me to solve the problem in the words, "to include religion and to exclude dogma," which, as far as I know, though it admits of a sufficient practical handling by individuals acting for themselves, has not yet been solved by any State or Parliament.' We may set side by side with this utterance Forster's remarks in Parliament (14 March): 'Unsectarian education is a very difficult thing to define in an Act of Parliament, but I deem it not at all difficult to reach in practice'; and the following sentence from the speech of Lord Shaftesbury, a man wiser than many, and more religious than almost all of those who took part in its discussion: 'I do not believe that the religious difficulty has ever had any existence whatever, except as a euphonious term for the assault and defence of the established Church.' Again, at a meeting of the National Education Union held on April 8, Shaftesbury said, 'I do not believe in the religious difficulty, and I speak from great

Religion and dogma.

Lord Shaftesbury.

and lengthened experience. I think I may say that for more than forty years I have gone in and out among the people. I have been engaged in religious movements with Dissenters and Nonconformists of every kind and colour; I have been with them in their chapels; I have been on the platforms of their great public meetings; I have been for years and years engaged in the ragged schools and their three thousand teachers and thirty thousand scholars, and never did I see dissension or difficulty arise. . . . Where is the religious difficulty, if you go among the great mass of the working people? . . . To many working men the Bible is their main, leading, and only religion. . . . How many of them are there who diligently study the Word of God, and whose sole distinction is to be known by the denomination of Bible Christians. That is the character of thousands and tens of thousands, I may say millions, of the Bible-reading and Bible-loving people of this great Empire.'

Cowper-Temple, at the same meeting, pleaded that religious instruction in schools should be given by the school teachers, not by the ministers of religion. 'Our opponents,' he said, 'would take this work from those who have been selected on account of their capacity to convey distinct ideas to youthful minds, and impose it on ministers of religion who are trained to teach adults rather than children. . . . A prohibition to the teachers to use this natural instrument of training would cripple his power and degrade his office. Whatever weakens the teacher must weaken the school. . . .'

The school teachers.

The *Spectator*, in reviewing Winterbotham's able speech in Parliament, spoke of the social grievance of the Dissenters as largely depending upon local conditions. If the creeds disputed, the Church would get the best of it, and it might be asked with reason whether that did not mean, not only that the Church, with the squire to back it, represented wealth and social predominance, but also that, in the country districts at least, the Church and the squire stood for a higher level of intelligence than the farmer and the shopkeeper, as well as for a majority in numbers.

The *Spectator*.

Forster's bill was the principal business of the session, and every clause was keenly disputed. The most contentious

portions of the bill were these: the principle of extending and improving what was in existence, instead of reconstructing a new universal and symmetrical system; the combination of voluntary donations and subscriptions, school fees, grants in aid from the State, and local rates, as against free, universal, state-imposed education; 'permissive' compulsion on parents to send their children to school; the year of grace for the denominations; the election of School Boards by vestries; and, above all, the proposal to leave each School Board free to prescribe what religious teaching they preferred, or none at all. Debates in Parliament.

The intention of the Act of 1870 was, as we have seen, to complete the voluntary system; to substitute local authorities for local agencies—some slight counterpoise to official centralisation—to erect school districts everywhere, and School Boards where the district desired them; to settle the dispute about religious education; to maintain fees according to an approved scale, and assert the responsibility of parents to send their children to school in districts where a Board School existed; and to fix an age below which wage-earning should be illegal. The Bible was to be read with explanation, but no formulary taught in the Board Schools. The 'time-table' conscience clause was imposed everywhere. Voluntary schools were to expect no aid from the rates. This, and the division of the country into districts, the improvement of the accommodation for scholars, the subjection of all scholars to the code, 'an annually enacted Act of Parliament,' were the chief features of the Act of 1870, which was a measure of primary importance in the history of English education, since it opened the way to a national system of elementary education; an end not yet fully attained but towards which progress has been made and is still being made.

In May 1876 Lord Sandon, Vice-President of the Council in Lord Beaconsfield's Government, introduced an Elementary Education Bill. He adverted to the great interest which the country took in the question of education, as was shown by the fact that five millions had been voluntarily subscribed for educational purposes since 1870, to which were to be added eight millions contributed before that date. The weak point in the Lord Sandon's Education Bill, 1876.

organisation now set in movement was that 'there were schools and teachers enough for the children, but the children did not come.' Out of 2,300,000 children who should be at school 45,000 were absent. Compulsion was needed; but it could not be applied as yet. It was made universal in 1882, by which date accommodation for four and a half millions of children was provided, though only three million attended school. The increase of attendance between 1870 and 1882 rose from 5 per cent to 11½ per cent; and it is to be put down to the credit of the voluntary or denominational system, that more than half of the new schools were built by subscription, and that twice as many children were educated in them as in Board Schools.

Compulsion made universal, 1882.

The effect of the Education Acts of 1870 and 1876, and of the policy pursued by the Board of Education,—a policy of legislating by regulation, or moulding parliamentary action to a pattern created by its own experience,—has been the gradual absorption of the voluntary system into the departmental. The Department is the exponent of the legislation which has gone through Parliament. Acts of Parliament require interpretation, and interpretation must be sought at headquarters. Every clause of an Act of Parliament binds the teacher, the managers, and the whole hierarchy of education closer to the Department which, under the fiction of local independence, tends to be infallible and irresponsible. The formula embodied in the Revised Code, of 'payment proportioned to educational results,' tends to make the central authority autocratic, since it is the sole judge of results. Since Mr. Mundella's Act of 1880, which made the framing of by-laws compulsory on School Boards and School Attendance Committees, and prescribed more stringent limits of age for scholars, compulsion has been applied universally, necessarily by degrees, because the school accommodation was in many districts insufficient.

Education after 1870.

It was hoped that the religious question, which alone concerns us here, had been settled by the compromise of 1870, maintaining the voluntary system side by side with the State system, under the double protection of the conscience clause and the Cowper-Temple clause. Logical people, and people who entertained a strong sense of the importance of dogma,

disliked a compromise which prescribed religious teaching without formulas, and argued that religious teaching must be founded in dogma. But, generally speaking, the plan worked well; and it might be said with some truth that the 'religious difficulty' was not a practical difficulty; for in large towns the Board School satisfied most parents, and a choice could be made between denominational and non-denominational schools, and in the 'single-school areas' in the country, where the Church of England was strong and the schools were of the voluntary type, little active opposition was made. What opposition there was, was connected with the persevering efforts of 'political Nonconformists' to carry out the programme of the Liberation Society. Parents, as a rule, are not keenly interested in religious controversy, and the majority of them would be contented with the arrangement of 1870; but the activity of the Tractarian party on the one hand and the Liberationists on the other did not make for peace or compromise.

The difficulty became urgent in consequence of those provisions in the Education Acts which introduced payment by rates. In 1882, two millions of children were educated in voluntary schools, one million in Board Schools. Board Schools received £800,000 from rates, voluntary payments amounted to £720,000. By 1895 the rates stood at nearly two millions, voluntary contributions at less than one million; and the disproportion in numbers and payments increased year by year, as subscribers fell off, since those who subscribed to the voluntary schools had to pay school rates as well. In 1896 the income of the Board Schools was more than £2 : 10s. per scholar as against less than £2 per scholar in the voluntary schools. Hence the Board Schools were in a position of advantage, and from that advantage were able to earn larger parliamentary grants. The growing disproportion in the financial position of the two classes of schools was tending to 'starve-out' the voluntary schools, and led to the legislation of 1902, which is still in force.

Voluntary contributions *v.* payment by rates.

AUTHORITIES.—Kay Shuttleworth, *Four Periods*, etc.; Craik, *the State in relation to Education*; *Hansard*; *Ann. Register*. HISTORIES, as in Chap. VIII. BIOGRAPHIES: *Gladstone*, by Morley; *Forster*, by A. Forster.

CHAPTER XIV

DISESTABLISHMENT OF THE IRISH CHURCH

1868–1869

In considering the Irish Church question as it stood in 1868, the earlier history of that question must not be left out. It was raised in the tithe controversy, which lasted from 1831 to 1838; and in 1834 by the proposal to apply some of the temporal possessions of the Irish Church to other uses and other ministers, and in the legislation by which the Irish bishoprics were suppressed.[1] The word 'sacrilege' is often used to cover the secular appropriation of any property held for purposes of a religious community, however acquired and however employed. So long as religious bodies hold property, the question will be asked whether church property may in any circumstances be secularised. If it may, the occasion and the method are matters to be decided at the time. If not, all lay impropriators of tithe and owners of abbey lands are guilty of perpetual sacrilege.

Question of alienation of church property in Ireland, 1831-1838.

Of all the measures in which Gladstone took part, whether as principal or secondary, there is none for which he was more personally responsible than the disestablishment of the Church of Ireland. The measure was his, from beginning to end, both in conception and in execution. 'The enterprise was inspired, guided, propelled, perfected, and made possible from its inception to its close by the resource, temper,

Gladstone's responsibility for the disestablishment of the Church of Ireland.

[1] See Part I. 142-149.

and incomparable legislative skill of Mr. Gladstone.' The work aimed at and carried through by the Disestablishment Act was, as Lord Morley well describes it, not only the entire separation of the Protestant Episcopal Church in Ireland from the Church of England and the Government of the United Kingdom, but also 'the winding up of a great temporal estate, the adjustment of many individual and corporate interests, and the distribution of some sixteen millions of property among persons and purposes to be determined by the wisdom of a Parliament, where rival claims were defended by zealous and powerful champions influenced by the strongest motives, sacred and profane, of party, property, and church.'

Gladstone on Dillwyn's motion, 1865.

On March 28, 1865, in a debate on a motion by Mr. Dillwyn, affirming that the state of the Irish Church was unsatisfactory, and called for the early attention of Her Majesty's Government, Gladstone, who was then Chancellor of the Exchequer in Lord Palmerston's administration, went fully into the problems presented by the Irish Church. It was impossible for him, so long as he held office under Palmerston, who in his old age was opposed to all extensive changes, to do more than admit that the state of the Irish Church was unsatisfactory. He did not assent to the proposition that the question called for the early attention of the Government. Notwithstanding this proviso, the speech was taken as an indication that his appearance as the advocate of disestablishment was henceforward only a matter of time. 'In the speech of the Chancellor of the Exchequer,' said Grant Duff in the same debate, 'I see the beginning of the end of the Irish difficulty.' Gladstone was not pledged to the defence of the Irish Church. He told Roundell Palmer in 1863 that 'he had made up his mind on the subject, and should not be able to keep himself from giving public expression to his feelings.'

Gladstone's letter to Lord Lyttelton.

'Ever since Maynooth, in 1845,' he wrote to Lord Lyttelton in April 1865, 'I have seen that resistance *in principle* was gone. . . . But I held this embryo opinion in my mind, as there was no cause to precipitate it into life. . . . At last the time for speaking, and therefore for formulating my ideas, came, and I have spoken according, as I believe, to the sense of all the leading men with

whom I acted, from Peel's death onwards, and within the sense not only of Lord Macaulay, but of the present Lord Grey.' This maxim is one that was professed and acted upon more than once by Gladstone. The time for speech is also the time for 'formulating ideas'; and it may be believed that his mind was busy at work with Irish problems even at the time when he could write, as he did two months later (8 June): 'The question is remote, and apparently out of all bearing on the practical politics of the day.' This saying, like others of Gladstone's, was objected to as insincere; but it was literally true as long as Lord Palmerston lived and remained in power. In *A Chapter of Autobiography* Gladstone makes the following remarks:—

'There was a complete lull in political affairs. They hung, in a great degree, upon a single life, the remarkable life of Lord Palmerston. It was surely right to think a little of the future. The calm was certain to be succeeded by a breeze, if not a gale, . . . the question of the Irish Church was certain to revive, and if it should revive, probably to be carried to a final issue.'

Disraeli, who had something of the prophetic gift, though he did not always care to remember his prophecies, speaking of Ireland in February 1844, had laid it down as the duty of a patriotic statesman 'to effect by policy all those changes which a revolution would accomplish by force.' That was the problem which Gladstone set himself to solve in 1868, when Disraeli held the office of Prime Minister, and had signalised his succession to that office, on February 25 of that year, by dismissing Lord Derby's Chancellor, Lord Chelmsford, and putting in his place Sir Hugh Cairns, an Ulster man and a decided Evangelical. He had now the opportunity of carrying into effect his own definition of Conservatism, 'Tory men and Whig measures.'[1] He had shown, as Robert Lowe said, an extreme facility of changing opinions in the matter of the Reform Bill. The election of a new Parliament by the remodelled constituencies was so far not a 'leap in the dark,' as Lord Derby had called it, that it was pretty certain to give a victory to the Liberals at the polls. Disraeli himself did

Disraeli Prime Minister. Cairns Chancellor, 1868.

[1] *Coningsby.*

not at this period of his amazing career command either the admiration or the confidence of his countrymen as Lord Derby had done, and the Conservative party was evidently nearing the end of a period of ascendency.

The attention of Englishmen was forcibly drawn to Ireland in the autumn of 1867 by an attempt made by Fenians at Manchester on September 18 to rescue some prisoners accused of a conspiracy to seize Chester Castle, and by a far more serious outrage at Clerkenwell prison (13 December), in consequence of which twelve persons lost their lives and many others were injured. Nothing is so effective as violent law-breaking to make the English people remember the existence of Ireland. The Fenian organisation was a reality. Its chiefs knew how to intimidate, or at any rate to disquiet the English people and their leaders, and Ireland suddenly became the question of the day. No one knew this better than Gladstone, who had, and knew that he had, 'a gift of appreciation of the general situation,' and referred to this crisis as one of those at which his possession of this gift was exemplified. Probably no statesman at a great crisis, in the midst of conflict and obloquy, is entirely single-minded, and we are not called upon to justify all the actions which accompany a policy; but Gladstone's conduct in the Irish question is only intelligible if his desire for the welfare of Ireland was sincere, and not merely a course of action suggested by party necessities.

Fenian outrages at Manchester and, Clerkenwell, 1867.

On March 10, 1868, John Francis Maguire, Member for Cork, a Roman Catholic and Home Ruler, and a man of high personal character, in moving for a committee to inquire into the state of Ireland, spoke of the 'feeling of alienation from England that lies in the heart of the Irish people,' of 'the dark and blood-stained page of cruelty, oppression, and wrong unequalled in the world.' He proceeded to lay the causes of disaffection partly upon the insecurity of land tenure, partly upon that 'badge of conquest,' the richly endowed Church of Ireland, the church of a small minority of the people. The Roman Catholic clergy of Ireland did not want to enrich themselves at the expense of the Established Church: they had long ago

Maguire's motion for a committee of inquiry, 1868.

pledged themselves to resist any State endowment; they would not become spies or stipendiaries of the State. The Roman Catholic population of Ireland asked for disestablishment and disendowment, 'the ending of a monstrous anomaly.'

In the course of the same debate (13 March) John Bright said that the Protestant supremacy was doomed. Religious equality, and on the voluntary principle, must be established in Ireland. Gladstone (16 March) blamed the Government for not having realised the fact that a crisis had been reached in the affairs and in the state of Ireland. Ireland had an account with this country, which had endured for centuries, and was not settled yet. He appealed to the impartial opinion of the world, the opinion of statesmen, legislators, religionists. 'Where,' he said, 'will you find the man who is not of opinion that in this great and still pending controversy between England and Ireland, England, though she may have done much, has not yet done enough to put herself in the right?' Though *vox populi vox Dei* may be an untrustworthy sentiment, yet 'the deep, profound, and lasting convictions of the people are never formed and never stand the test of time and circumstances, without containing much of truth and of the sacredness of justice.' He made an emphatic and memorable declaration against the continued existence of the connexion between Church and State in Ireland. Religious equality must be established, at whatever cost, by disestablishment and disendowment, not by endowment of other religious bodies or redistribution of church revenues. The policy of concurrent endowment 'had long passed the point of practical possibility.'

Gladstone's speech.

The Prime Minister, after protesting against 'the monstrous invention of a "crisis" in Ireland, got up by the Right Honourable gentleman for the advantage of his party'—when for a quarter of a century he had never done anything for Ireland but make speeches in favour of the Irish Church—admitted that the condition of the Irish Church was not satisfactory. He believed that the true policy in Ireland was to create, not to destroy; and that if the Church of Ireland were violently destroyed, such an

Disraeli's speech.

action would add immensely to the elements of discord in that country. He appealed to the country and the new constituencies on the question of ecclesiastical endowments, and denied the moral competence of the House to decide that issue without an appeal to the country.

Gladstone's three resolutions.

It was clear from the general course of the debate, and even from Disraeli's speech, that the fall of the Irish Church establishment was imminent; and on March 23, Gladstone brought forward the motion on the subject of the Irish Church of which he had given notice on the 20th. It was embodied in three resolutions: (1) that it is necessary that the Established Church of Ireland should cease to exist as an Establishment; (2) that no new interests should be created in the meantime; (3) that the interest of the Crown in the temporalities of the Church should be placed at the disposal of Parliament. On March 30, 1868, a momentous debate began, to which a peculiar solemnity was imparted by the reading of certain sections of the Act of Union, in which the establishment of the United Church of England and Ireland is mentioned as 'an essential and fundamental part of the Union,' and the Coronation Oath, in which the Sovereign declared her determination 'to maintain and preserve inviolably the settlement of the United Church of England and Ireland.'

Debate on the resolutions.

Gladstone's line of argument was that the time had come for putting an end to the Established Church of Ireland, so far as it was a national establishment of religion; that henceforward no public money should be given to the sustentation of any religious denomination whatever; and that this principle should apply equally to the *Regium Donum* in support of the Presbyterian community in Ireland, and to the annual grant of money made to the Roman Catholic college of Maynooth. Speaking with the air of a man who felt power in his grasp, though he was not in the responsible position of a minister in charge of a bill, he proceeded to sketch the outlines of such a measure as should be brought in if his resolutions were passed, a measure which would entirely put an end to the privileged condition of the Irish Church, and divert its revenues to national uses, care being taken that vested interests should be liberally compensated, but

that none should be created. The second and third resolutions were aimed at by an amendment moved by Lord Stanley, which proposed that any proposition tending to the disestablishment or disendowment of the Irish Church should be reserved for the decision of a new Parliament; but which gave away the main point, by allowing that 'considerable modifications in the temporalities of the United Church in Ireland might appear to be expedient'; and Lord Cranborne had no difficulty in showing that the 'erratic leader' whom Lord Stanley and the Conservative party followed was not to be trusted in a case like the present. As for predicting his probable course, 'I should as soon,' said Lord Cranborne, 'undertake to tell you which way the weathercock will point to-morrow.' Disraeli's speeches throughout these debates might be bitter and fierce, but they wanted the sincerity of a genuine defence, and dispirited his followers, in proportion as the Liberals were animated by Gladstone's imperious ardour. The debate ended in the defeat of the Government on Lord Stanley's amendment, by sixty votes, early in the morning of April 4, 1868; and from that moment the disestablishment of the Irish Church was certain. What form disendowment might take was still uncertain.

Lord Stanley's amendment.

Lord Cranborne's speech.

Disraeli's Government defeated.

The Easter recess followed immediately, and before Parliament met again, the Prime Minister wrote to one of his constituents a letter dated 'Hughenden Manor, Maundy Thursday, 1868,' in which, echoing Lord John Russell's 'Durham Letter,' he spoke of 'an extreme faction in the Church of very modern date,' which was plotting to destroy the connexion between Church and State, and was 'in open confederacy with the Irish Romanists for the purpose.'

Disraeli's 'Maundy Thursday' letter.

Though the defeat of Stanley's amendment had shaken the Government, Gladstone's first resolution had not yet been voted upon; and after the recess, a three days' debate (27-30 April) on this resolution ensued, in the course of which Mr. Newdegate raised, and Lord Hartington deprecated, the cry of 'No Popery'; Spencer Walpole denied the existence of a religious grievance,

Debates in Parliament. Government defeated.

and Disraeli justified the terms of his letter, in which he had spoken of a combination of Ritualists and Romanists. The resolution was carried by a majority of sixty-five (1 May); and the Prime Minister accordingly proposed the adjournment of the House till the following Monday (4 May), and consulted the Queen in the meantime. 'We have made a step,' Gladstone wrote on that day, 'nay, a stride, and this stride is on the pathway of justice and of peace, and of national honour and renown.' The situation was difficult for all parties. The Government were in a minority on a capital question, and had no prospect of regaining their position. Mr. Disraeli offered the resignation of the Government, which the Queen declined to accept, but expressed herself willing to dissolve Parliament as soon as the state of public affairs permitted it to be done. In the meantime Ministers held office till the arrangements for the registration of voters under the new Reform Act should be completed.

The second resolution, which was tantamount to obtaining the Royal consent before bringing in a Suspensory Bill, was passed, and a debate arose upon the third resolution, by which Her Majesty was to be requested to place at the disposal of Parliament her interest in the temporalities of the Irish Church. This was also passed; and Gladstone moved for leave to bring in a Suspensory Bill (14 May), and explained that on the question of disestablishment the Government and the Opposition were agreed, but not as to disendowment. Religious equality, according to the Government, should be brought about by giving; whereas his policy was to take away the endowments of the Established Church and discontinue all grants to other religious bodies; and in this sense the Suspensory Bill passed the Commons, June 1868. The main provision of the bill was that no vacancies in dignities or benefices should be filled up till August 1, 1869.

Suspensory Bill passed by the Commons.

The debates on the Suspensory Bill in both Houses were vigorous and interesting, especially in the House of Lords. One of the most telling speeches was that of Lord Derby, who, though unable any longer to take the first place at the head of his party and the nation, showed all his old fire. If length of possession gives a

Debates in the Lords.

title to private property, prescription reaching far beyond the Reformation ought to ensure the tranquil possession of the Church of Ireland, unless the old maxim *nullum tempus occurrit ecclesiae* must be read backwards. Such confiscation as this would apply in principle to the City companies as well as to the Church. The only inequality under which the Roman Catholics of Ireland now laboured was inequality of possessions. They had everything they wanted, except their neighbours' goods.

Lord Cranborne (who took his seat as Marquess of Salisbury in April of this year) declaimed against the measure as one of spoliation as sweeping as human or radical ingenuity could devise, and on a principle which would apply equally to Wales or Cornwall. No case of unfulfilled trusts had been made out; the solitary plea for confiscation was that others coveted the Church funds. Bishop Wilberforce complained that the fault charged on the Irish Church was properly chargeable on the English Government through many generations. It was an attempt to buy off assassins, inexpedient and ungrateful, and tending to deprive Ireland of the most intelligent and energetic class in the country. Lord Chancellor Cairns, in a powerful and exhaustive speech, expressed the feeling of Protestant Ulster. The Irish Church Bill, he said, was the outcome of a political difficulty. The land, not the Church, was the truly interesting question. The bill would not conciliate the disaffected, but it would offend and irritate the most thrifty and loyal part of the nation; it would produce two new classes of absentees, the Protestant clergy and gentry; it might prepare the way for the overthrow of the Church in England; it drew an unreal distinction between corporate and private property. The bill was an attack on property, on the supremacy of the Crown, and on the interests of Protestantism and of peace in Ireland.

The majority in the Upper House against the second reading of the bill on June 29 was ninety-five (192-97).

The bill rejected.

The defeat of the measure by the Lords was looked upon as inevitable, and in view of the coming general elections, unimportant. The elections took place in November, and produced a gain of fifteen seats to the Liberal party, the Liberal majority being

now one hundred and fifteen. Disraeli deserved some credit, but got little, for consulting the convenience of the public, both in retaining office till public business was ripe for a dissolution, and for resigning office as soon as the result of the elections was known. Gladstone became Prime Minister on December 9, 1868.

General election. Gladstone Prime Minister.

Gladstone's imperious temper, a temper essential for the carrying out of great purposes, was characteristically shown in his dealings with the Irish ecclesiastics, at the root of whose establishment he was laying the axe. He made overtures to Archbishop Trench and others, in the hope that they would bow to his summons; but overtures made axe in hand are not inviting, and the authorities of the Irish Church, when they saw the forces arrayed against them—the three *corps d'armée*, as Gladstone called them, of Scotch Presbyterians, English and Welsh Nonconformists, and Irish Roman Catholics—may not have been ill-advised in thinking 'we will wait and see what is offered, and then ask so much more.' What they most feared, disestablishment, was irrevocably decreed. The interests threatened were too intimate and too sacred in the eyes of their defenders to give room for temporising or diplomacy. Archbishop Trench declined an interview. The ablest Irish ecclesiastic of the time, Dr. Magee, who had been promoted a few weeks before this from the deanery of Cork to the See of Peterborough, after meeting the new Prime Minister at the Queen's request (9 February 1869), noted that he was willing to give a liberal grant of life interests, to hand over the fabrics of the churches to the disestablished Church, and in one way or another to grant glebe-houses or their value; but there was to be no compromise as to the question of disestablishment.

Attempts at compromise.

Meeting of Gladstone and Bishop Magee, 1869.

The question was now one of emoluments only; the utmost that might be saved or gained was the autonomy of the disestablished Church, and the possession of the fabrics of the churches and glebe-houses, and some part of the lands and other Protestant endowments. Bishop Magee suggested to Mr. Gladstone that pre-Reformation endowments should be given to the Roman Catholic community, and those of later date to the Irish

Endowments question.

Church: but Gladstone had made up his mind unalterably against this. Whether the nation had unalterably declared against concurrent endowment may be doubted. Russell, Thirlwall, Carnarvon, and Salisbury favoured the endowment of other religious denominations; and so did John Stuart Mill. But following Gladstone's lead, candidates had made speeches and given pledges which must be redeemed, and the three *corps d'armée* were of the same mind. 'The thing contemplated,' he wrote to the Queen on February 13, 'is the very thing that the Parliament was elected not to do.' He knew, as he candidly expressed it in a letter to Archdeacon Stopford (8 February), that 'his adversaries were at the mercy of his friends'; and all they could hope for was some mitigation of the common rule *vae victis*.

Irish Church Bill introduced. Gladstone's speech.

The Irish Church Bill was introduced by Gladstone on March 1, 1869, in a speech which, for oratorical brilliancy, comprehensiveness, clearness, and subtlety, was almost unparalleled. Lord Morley writes: 'The speech in which this arduous scheme was explained to Parliament was regarded as Mr. Gladstone's highest example of lucid and succinct unfolding of complicated matter. Mr. Disraeli said there was not a single word wasted. . . It is hardly an excess to say that since Pitt, the author of the Union, the author of the Church Act was the only statesman in the roll of the century capable at once of framing such a statute and expounding it with the same lofty and commanding power.' He spoke of the measure as perhaps 'the most grave and arduous work of legislation that has ever been laid before the House of Commons'—of the painful and bitter memories connected with the Irish Church, the token and symbol of ascendency. He laid down as essential conditions of the measure that it should put an immediate end to the establishment and the public endowment of the Church of Ireland; that it should be thorough, but liberal and indulgent; and that it should be final.

The first act was to vest the property of the Church, subject to life interests, in a new Ecclesiastical Commission, to be appointed for ten years. This would take effect on January 1, 1871. At the same date the union between the Church in England and that in Ireland would be dissolved, and all

Irish ecclesiastical corporations, courts, and laws would cease to exist. Power would be given to the Queen in Council to recognise any governing body which the clergy and laity of the disestablished Church should appoint. Vested interests, that is to say, the title of a beneficiary to the income due for the performance of a certain duty, were to extend in full during the life of the incumbent, unless he preferred to receive a Government annuity. The peerage, rights, and privileges of bishops would terminate at once. Private endowments dating from 1660, not including churches and glebe-houses, would not be interfered with; that date was chosen because the Presbyterian congregations were within the limits of the established Church till then. The governing body of the Church would have handed over to them any churches which they would undertake to maintain for public worship; and the glebe-houses, after payment of building charges. The *Regium Donum* and the Maynooth Grant (about £70,000 ann.) would be abolished, with compensation on the same principle, and the tithe rent charge would be extinguished in the course of forty-five years.

The bill.

Regium Donum and Maynooth Grant.

The whole property of the Irish Church, in tithe rent charge, lands, perpetuity rents, and money, was estimated at sixteen millions; the vested interests and other charges at something over eight and a half millions, leaving a surplus balance of nearly seven and a half millions.

Estimated value of Irish Church property.

The debates which followed were notable, even in a Parliament which contained orators and debaters such as Gladstone himself, Disraeli, Bright, Coleridge, Palmer, Lowe, Gathorne Hardy, and in the other house, Lords Derby, Granville, Cairns, and Salisbury, the Duke of Argyll, Archbishop Tait, Bishops Magee and Thirlwall. The points on which most discussion arose were the following: Whether the legal and constitutional connexion between the State and the Church should be preserved for purposes of continuity and of unity with the English branch of the Church, in formularies of State and ecclesiastical law, so far as these matters did not involve precedence and privilege; or whether a disestablished Church would not,

Debates in Parliament.

as Sir Roundell Palmer thought, be freer by complete legal separation; whether the period for which endowments should hold good should be reckoned from 1560 or 1660; whether the new ecclesiastical corporation should be enabled to hold land; on what terms the glebe-houses should be retained by the clergy; and the conditions of the Maynooth and Presbyterian settlements. There was a keen debate also over the disposal of the surplus; proposals were made to apply it to the provision of hospitals, or of glebe-houses for all denominations, to national education, reform of land tenure, relief of poor rate and other objects; but Gladstone held to his original plan of devoting it to the relief of unavoidable calamities and suffering, for asylums and hospitals, and for reformatories and training schools, to which a sum of £311,000 a year was allotted.

Objections to the bill.

The bill passed the Commons and was sent up to the Lords with little alteration; bearing with it, however, no inconsiderable protest from Conservatives and independent Liberals on the ground of its harsh and arbitrary character, and its subserviency to political exigencies and the will of a too powerful Minister. It was said to introduce the danger of universal disestablishment, if religious property were once diverted to secular uses; the danger to England and Scotland of giving up the principle of an established Church; the danger to property of every sort if prescription of three hundred years was to count for nothing; the danger of encouraging disaffection by yielding to violence and mistaking a foreign conspiracy, American or Roman, for national discontent; the danger even of dissolution of the Union, if Fenianism were encouraged by legislation which might seem to have been suggested by fear. The bill would set up in the country an independent religious power which might become a sacerdotal corporation; would discourage that interest in the country which was most loyal and most favourable to freedom of speech and opinion; and would give to the landlords what was taken from the people. As for tenderness to vested interests, that was a mere commonplace of confiscation, another term for spoliation. Church property was not national property; there was no true distinction to be drawn between public and private endowment;

and a policy of general destruction would lead to the repeal of the Union, and to anarchy at last.

Those who defended the bill did so principally on the ground that the established Protestant Church was a badge of conquest, and a perpetual incentive to discontent and disloyalty; to deprive the Irish Church of property which it had misapplied was 'a grand act of justice,' and would do much to conciliate Irish disaffection. The established Church had made Roman Catholicism not only a religion but a patriotism; this was a way from an unreal patriotism to a real and solid union, and would affect the Irish in America as well as the Irish in Ireland. It had been proposed to separate disestablishment and disendowment, but they were inseparable in practice. In winding up the debate on the third reading, Mr. Gladstone expressed his earnest hope that the Church would emerge from this ordeal 'with a higher sense of her mission, and freed from the unjust privileges and the bitter memories which had been her unhappy heritage'; and that 'the day might come when it would be said of her, that the glory of the latter house is greater than the glory of the former.'

Defence of the bill.

The same ground had to be gone over a second time in the House of Lords. Attempts at conciliation were made. At the Queen's request Archbishop Tait wrote to Gladstone (3 June) to propose himself as the vehicle of intercommunication on the question not of disestablishment, but of how much disendowment the disestablishment of the Irish Church implied. The Prime Minister's reply did not encourage the Archbishop to expect much modification in the terms of the bill. His opinion was that no amendments would be accepted by the House of Commons which were inconsistent with the principles of the bill; and the tone of his letter made it clear that he would not consent to any substantial change.

Attempt at mediation. The Queen and Archbishop Tait, 1869.

It is a difficult thing for the House of Lords to resist a strong and peremptory Minister, commanding a large majority in a house which has just been elected on the very issue which is combated; and failure in some form was the probable result, either of throwing out the bill, or of amending it out of all recognition. The

The bill and the Lords.

former course was decided upon by the Conservative peers, who met on June 5 at the Duke of Marlborough's house. It was in the debate on the second reading that Lord Derby made his famous application of Meg Merrilies' address to

Lord Derby.

'her former protector but now oppressor of herself and her tribe. . . . "Ride your ways, Laird of Ellangowan! Ride your ways, Godfrey Bertram! This day have ye quenched seven smoking hearths; see if the fire in your ain parlour burn the blyther for that. Ye have riven the thack off seven cottar houses; look if your ain roof-tree stand the faster." . . . My Lords, it is with sentiments like these—with sorrow but with resentment—that the Protestants of Ireland may look upon you, from whom they expected protection. . . . They may say, "Go your way, ye Ministers of England! Ye have this day, so far as in ye lay, quenched the light of spiritual truth in fifteen hundred parishes. See if your own Church stand the faster for that. There are, not seven, not thirty, but seven hundred thousand hearts and seven hundred thousand more, though not of our own communion . . . who in defence of that Union which you induced them to form would have shed their dearest life-blood, but who now find that from you, to whom they looked for protection, they meet with oppression."'

Another speech which was attentively listened to was that of Bishop Thirlwall of St. David's, who protested against the

Bishop Thirlwall.

application of such terms as 'sacrilege' to the diversion of Church funds to other than religious purposes. The true test of sacrilege was the purpose to which gifts made to the Church were applied. He was a friend to Protestant ascendency, by which he meant an intellectual ascendency. He, like the Archbishop of Canterbury, did not believe in voluntaryism, but feared that the 'levelling up' process was now impracticable.

Bishop Magee, whose reputation as an orator was already secure, produced an extraordinary effect on his audience.

Bishop Magee.

Though this was his maiden speech in the House of Lords, it was compared with the orations of Grattan and Plunket. It had the fire of true eloquence, for it was sincere, not theatrical, and was not tarnished by any selfish interest; for the speaker himself could

not be affected by any changes which might take place in the Church of Ireland. He did not think the proposed measure a violation of the Coronation Oath or the Act of Union: but he warned the House against any infringement of corporate property, since 'sacrilege naturally precedes communism.' He denied that the bill was required by justice, policy, or the will of the nation. If the clergy were called upon to give up endowments formerly possessed by the Roman Catholic Church, why were not the landowners also to restore their infinitely larger possessions to their former owners? As for policy, this was only another instance of the English specific for Irish evils—confiscation, with this difference, that formerly the possessions of enemies were taken, but now the possessions of friends. He believed that the English nation had been misled, and that its verdict was not in favour of such a measure as this, cruel, harsh, and niggardly, and spoke with contempt of the obligation laid upon Parliament by the 'verdict of the nation.' Quoting from Gladstone's peroration the words—'the spectacle which England would present to the civilised world when she came to perform this magnanimous act of justice and penitence,' he exclaimed, 'What a magnanimous sight! The first thing that this magnanimous British nation does in the performance of this act of justice and penitence is to put into her pocket the annual sum she has been in the habit of paying to Maynooth, and to compensate Maynooth out of the funds of the Irish Church. . . . This great nation in its act of magnanimity and penitence has done the talking, but it has put the sackcloth and ashes on the Irish Church, and made the fasting be performed by the poor vergers and organists.'

The principal hindrances to the hopeful scheme of concurrent endowment were, in the first place, the determination of the Prime Minister, supported by the newly elected House of Commons, to observe the principle of religious equality; secondly, the disinclination of the Roman Catholic clergy to accept payment from the State; and thirdly, the anti-popery rancour of Lord Cairns and Lord Shaftesbury. The first of these causes was strong enough to carry the day; and on this Gladstone himself was unalterable.

Hindrances to concurrent endowment.

During the course of the bill through the Committee stage

in the House of Lords, the character of the measure was greatly altered by amendments. The making of amendments, like the wearing of iron weapons, leads men further than they intend. The general result of the Lords' amendments, says Lord Morley, was 'to leave disestablishment complete and the legal framework of the bill undisturbed.' Disendowment, on the other hand, was 'reduced to a shadow'; and words containing the principle of concurrent endowment were reinserted in the preamble of the bill. With these amendments the Lords passed the second reading of the bill by a majority of thirty-three (19 June). This was owing in great measure to the influence of the Archbishop. It was also felt that the result of a violent breach with the Commons would be disastrous, and might seriously compromise the constitutional position of the House of Lords. Gladstone, in reviewing the situation on July 15, spoke of all this with something of contempt and anger. He alluded to the authors of these amendments as men so much out of touch with the feeling of the country that they might have been 'living in a balloon,' and declared that no atom of concurrent endowment could be endured; nor would he hear of deferring either the disposal of the surplus or the date of disestablishment. The bill was sent up again shorn of its amendments; and the Lords decided, on July 20, by a majority of seventy-four, to reinsert into the preamble the words which expressed the principle of concurrent endowment.

Lords' amendments.

Queen Victoria had personally a strong dislike to disestablishment. But she deprecated the rejection of a bill carried by an overwhelming and steady majority through a House of Commons chosen expressly to speak the feeling of the country on the question. The Queen's loyalty to constitutional procedure was only surpassed by her tact in making her own influence felt without embarrassing her Ministers by any departure from her proper line of action. After hearing from Lord Granville that the Government would not hear of passing amendments which seemed (in Gladstone's words) 'to mean war to the knife,' she still urged the continuance of negotiations, in which the Archbishop of Canterbury, Salisbury, Granville, and Dean

The Queen's action.

Wellesley were deeply engaged, as well as Cairns and Disraeli. In spite of the vote of July 20, the Archbishop did not lose heart. The Prime Minister's uncompromising rigour had somewhat softened, and he appeared to be willing to make some concessions. The ultimatum of Lord Cairns, who represented the fighting party in the Lords, was an addition of about a million: but the Government would not entertain this proposal. A conversation between Granville and Cairns ended in the acceptance by the latter of a much smaller sum, and the bill was passed (22 July), amid the mutual congratulations of the principal combatants, among whom not the last honours were accorded to the Archbishop, whose 'combined firmness and moderation throughout this unhappy crisis, from the second reading to the end,' received the warm approbation of the Queen. The House of Lords had avoided a dangerous crisis, had gained something for the Church, and escaped humiliation; but the victory of the Government was complete.

Compromise arrived at by Granville and Cairns. The bill passed.

It was thought by some of Gladstone's supporters that the vested interests of the Irish Church, and especially the life interests of the clergy, were rated at an extravagant value. The principle adopted was to preserve the life estates of ecclesiastical persons in the case of lands, and in the case of tithe rent charge to compensate the owners by life annuities to an equal amount. It was provided that the capitalised value of the incomes of ecclesiastical persons might, with the consent of the Representative Body of the Irish Church and of the clergy, be paid over to the Representative Body subject to and charged with the payment to the commuting clergy of their incomes for their several lives. Convenient and favourable conditions of commutation were granted, and almost the whole of the clergy commuted; and the Commissioners, in whom the property of the Church was vested by the Act of 1869, handed over to the Representative Body about seven and a half millions, charged with annuities of nearly £600,000.

Vested interests.

Disposal of the surplus.

The Irish Church Act (32 and 33 Vict. c. 42), which received the Royal assent on July 26, 1869, left the disestablished Church free to frame its own Constitution, without any help or hindrance from the ancient Constitution of the Church

and its historical though forgotten Convocations, the first of which had met in the reign of James I., and the last in the reign of Anne. Accordingly the Archbishops of Armagh and Dublin summoned their provincial synods to meet at St. Patrick's Cathedral, Dublin, in September 1869. The joint synods formed themselves into a Convocation, consisting of two Houses, the Archbishop of Armagh (Beresford) being President of the Upper House, and Dr. West, Dean of St. Patrick's Cathedral, Dublin, Prolocutor of the Lower House. The first resolution passed was of the nature of a protest, declaring that the Convocation was now called upon, 'not to originate a Constitution for a new communion, but to repair a sudden breach in one of the most ancient churches in Christendom.' The second resolution stated that under the present circumstances of the Church of Ireland the co-operation of the faithful laity had become more than ever desirable; and the Convocation proceeded to consider the composition and mode of election of a General Convention, consisting of bishops, clergy, and laity, which should frame a Constitution for the Church which found itself cut adrift from its ancient moorings.

Meeting of Convocation of the Irish Church.

In the meantime the church parishioners of every parish in Ireland elected parochial delegates, who in their turn met in diocesan synod and elected lay members to represent them in the General Lay Assembly, to the number of 417. This Assembly met at Dublin in October 1869, under the presidency of the Duke of Abercorn, and recommended that a general Convention should be summoned, consisting of the Archbishops and bishops, and of clergy and laity in the proportion of one to two. The General Convention met at Dublin on February 15, 1870, and in the autumn of the same year issued the Constitution under which the Irish Church has since that date been governed.

Meeting of Constituent Convention, 1870.

The 'fundamental' points of the Constitution were embodied in a preface which begins with a declaration of belief in 'the Canonical Scriptures of the Old and New Testaments, as given by inspiration, and as containing all things necessary to salvation.' Other fundamentals are the maintenance of the three orders in the

Constitution of the Irish Church.

ministry, the administration of doctrine and discipline as set forth in the Prayer Book, the Thirty-nine Articles, and other formularies of the Church, and the continuance of the Church of Ireland in the communion of the Church of England 'as a reformed and Protestant Church.' The Constitution of the Church of Ireland provides a General Synod consisting of an Upper House or House of Bishops, and a House of Representatives containing 208 clergy and twice that number of laymen, triennially elected by the dioceses. The General Synod has power to make canons and constitutions, and under certain conditions may alter articles, formularies, and rubrics. Each diocese has its own synod, similarly elected, and presided over by the Bishop; each parish its vestry and select vestry. Archbishops and bishops are elected by the diocesan synods. Patronage is exercised by Committees appointed for that purpose. Questions of ecclesiastical law are tried by diocesan courts and a court of final appeal termed the Court of the General Synod. These courts contain clerical and lay members. A Representative Body of the Irish Church was incorporated by Royal Charter on October 19, 1870, in which all church property is vested. It consists of clerical and lay members, besides the Archbishops and bishops *ex officio*.

The General Convention at once appointed a Committee to consider the formularies and ritual of the Church, with the object of checking the introduction of ritualism, which was, as was natural, much less popular in Ireland than in England. The word 'Protestant,' which occurs in the Coronation oath but not in the Prayer Book or Act of Uniformity, was deliberately inserted in the preface to the Statutes of 1870; and the alterations now introduced into the Irish Prayer Book are, for the most part, directed against the tractarian school, especially in its exaltation of the sacramental system and the sacerdotal office, resting upon the doctrine of exclusive apostolical succession. After a long examination of articles and formularies, homilies, catechisms, and writings of divines, the Committee recommended the addition of the following words to the 'Black Rubric' appended in 1662 to the Communion Office:— Formularies.

'The Church of Ireland doth hereby declare that no Adora-

tion whatever is to be done to any presence of Christ or of Christ's Flesh and Blood supposed to be in the elements after and in virtue of their consecration;' and to the Catechism, after the words 'taken and received,' of the words 'only after a heavenly and spiritual manner; and the mean whereby they are taken and received is faith.'

Similar alterations were made in the Office for the Visitation of the Sick, and in the Offices for the ordination of Priests and the consecration of Bishops. The word 'Priest' is defined as equivalent to 'Presbyter.' Black letter days are omitted from the Calendar, and the Ornaments Rubric is expunged.

As regards ritual, the following regulations were made, and embodied in canons. Archbishops and Bishops are to wear in divine service the customary apparel of their order; Presbyters and Deacons a white surplice with sleeves; bands, the customary scarf or stole of plain black silk, and in preaching the black gown and graduate hood may be worn at pleasure. No other ecclesiastical vesture or ornament is lawful, and any further question is to be decided by the Ordinary, with appeal to the General Synod. In his ministrations the minister is to speak distinctly, and never to pray with his back turned to the people. Throughout the Communion service he must stand at the 'north end or side' of the table, which is to be of wood, and movable. No lighted lamps or candles may be used except for the purpose of giving light, no cross may stand on or behind the altar, no banners, crosses, or pictures may be carried in procession. No elevation of the elements, crossing, bowing, or other act of obeisance is permitted. Incense, the mixed chalice, and wafer-bread are prohibited, and no hymns are allowed, except at the customary places. The direction to use the Athanasian Creed in church on certain days is removed. Habitual and stated auricular confession is forbidden. In all these matters and the like the Ordinary may restrain unauthorised practices; and in all cases an appeal to the court of the General Synod is granted.

Ritual.

These recommendations, with others relating to the clergy, the duties of archdeacons, of churchwardens, and of select vestries, were embodied in the form of Constitutions and Canons Ecclesiastical, and passed by the General Synod;

and a revised Prayer Book was published in 1878 with a preface, in which were set forth the reasons for the changes made, and which concludes with an appeal to those who thought that too much or too little had been done, to consider on the one side and the other 'that men's judgments of perfection are very various, and that what is imperfect, with peace, is often better than what is otherwise more excellent, without it.'

Constitutions and Canons Ecclesiastical.

The form of ecclesiastical polity introduced into the Church of Ireland in 1870 was a complete contrast to its former government. The change was nothing less than a revolution; the conversion of a hierarchy into a democracy. For though the Episcopate, acting through two-thirds of their whole number, can in the last resort pronounce a veto on any measure, the laity, being two to one, have the greater voting power. The democratic or majority principle extends to the government of dioceses and of parishes, and to patronage of every kind, from the election of bishops to that of petty parochial officers. The General Synod, thus largely composed of laymen, is the only source of legislation, and is also invested with a considerable measure of administrative power.

Democratic character of the Irish Church.

Poverty, not disruption, is the immediate danger of a disestablished Church. The interests of the existing clergy were provided for by the Act of Disestablishment; but no provision could be made for the support of the Church as these interests should be gradually terminated. The Representative Body determined to establish a fund, on a system of regular and continuous contribution from all the parishes in Ireland; and this has been successful in drawing out a large amount of annual subscriptions from church people of all classes, besides liberal donations and bequests, both from clergy and laity; some part of which has been invested in the purchase of glebe-houses, and demesne and glebe lands.

Endowment fund.

The theological character of the Church in Ireland has remained the same as before; though, on the one hand, the tendency towards development of ritual, which has been felt in the nonconformist bodies as well as in the Church of England, has had its effect in the Irish Church also; and,

on the other hand, the traditional antagonism to Romanist doctrine has affected the formularies of the Church and given them a more decidedly Protestant character, as compared with the Prayer Book of the Church of England, and has severely restrained variations of ritual.

SUMMARY OF IRISH CHURCH ACT 1869

AN ACT TO PUT AN END TO THE ESTABLISHMENT OF THE CHURCH OF IRELAND, etc., 32 and 33 Vict. c. 42 (26 July 1869).

§ 3. Three 'Commissioners of Church Temporalities in Ireland' appointed to hold office for ten years, with full power to decide all necessary questions.

§§ 11-13. All ecclesiastical property in Ireland, after January 1, 1871, to vest in the Commissioners. After the same date no Archbishop or Bishop of the Irish Church to be qualified to sit in the House of Lords as such.

§ 14. Holders of benefices of every description to receive, so long as they discharge the duties of their respective offices, an annuity equal to the yearly income of the office.

§§ 15-18. Compensation to be given to permanent curates and other church officers, and to owners of ecclesiastical patronage.

§ 20. The present ecclesiastical law of Ireland to subsist as by mutual contract between the members of the Church.

§ 21. All ecclesiastical courts and ecclesiastical law in Ireland to terminate after January 1, 1871.

§ 22. A Representative Body may be appointed by the bishops, clergy, and laity of the Church.

§§ 25-28. Ruinous or disused churches may be preserved as public monuments; churches in use to be vested in the Representative Body; school-houses and burial-grounds and ecclesiastical residences to be similarly dealt with.

§ 29. Private endowments to be commuted by payment to the Representative Body by the Commissioners of the sum of £500,000.

§§ 38-40. Protestant Nonconformist ministers in receipt of grants from *Regium Donum* and Trustees of Maynooth College to be compensated on the principle of §§ 14, 15.

§ 66. Power given to the Queen to fill up vacant sees on the requisition of the Archbishop or three bishops, but archbishops or bishops so appointed not to sit in the House of Lords.

§ 68. The surplus to be appropriated mainly to the relief of unavoidable calamity and suffering, as Parliament shall direct.

AUTHORITIES.—*Annual Register*; Hansard's *Debates*. HISTORIES: by Paul, Walpole, McCarthy, Perry, Atkins, *Irish Church Act*, 1869. BIOGRAPHIES: *Gladstone*, by Lord Morley; *Archbishop Tait*, by Davidson and Benham; *Magee*, by Macdonnell; *Wilberforce*, by Wilberforce.

CHAPTER XV

CHURCH ORGANISATION

After judicial action had failed in the attempt to put down the free expression of opinion, and to check the growth of ritualism, the history of our period during a quarter of a century is for the most part a record not of salient public events, like those which marked the Oxford movement and the early days of liberal and ritualistic progress, but of a quiet advance in church work and organisation. Education, missions, especially home missions, philanthropic activities of every kind, the practical application rather than the dogmatic inculcation of tractarian principles by the agency of sisterhoods, guilds, and associations of clergy and laity, the struggle with materialism and heathenism in the great towns; such things as these make up the history of the time, and cannot conveniently be treated in consecutive narration. Old actors give place to new-comers, but the business of the scene varies little.

Church organisation.

Growth of organisation is closely related to extension of publicity. As the spread of newspapers weakened local influences, and as the common stock of ideas became greater, independent initiative became rarer, since all men knew what their neighbours did, and many wished to do the same. Imitation is one of the notes of the generation which succeeded the Oxford movement; what has succeeded in one place must be copied in many more. The extension of publicity throws light upon the growth of clerical meetings, the introduction of parliamentary method into all church business, and the uniformity

Conferences, congresses, synods, etc.

of development in ritual and doctrine, as well as in machinery of all kinds. It is more important to note the new forms of church activity than to record by what steps they came into being. The need of mutual counsel among the clergy being allowed on all hands, rural deans assembled their neighbours to discuss local and diocesan politics, or to study the New Testament in common; archidiaconal visitations became more frequent; diocesan synods of the clergy and diocesan conferences of clergy and laity were accepted as a part of the normal procedure of the Church, and questions of interest to the whole Church were debated at annual congresses.

Diocesan synods.

The first diocesan synod was held by Bishop Phillpotts at Exeter in 1851; the object of the Bishop in summoning it was to obtain a synodical condemnation of Gorham's errors. A synod of the diocese of Lincoln was held in 1871 by Bishop Wordsworth; since then synods of the clergy have been called from time to time in other dioceses; but more general interest attaches to the meetings of clergy and laity together in diocesan conferences under the presidency of the bishop, which are now held in every diocese. There is no subject of interest to the Church which does not come under the review of the diocesan conferences; they help both to diffuse knowledge and to concentrate opinion, and thus exercise no small influence upon church politics.

Home missions.

Religionists disagree as to the permanent value of 'revivals' in raising the tone of religion. The earliest history of the Christian religion itself is a lesson in revivalism. But every enthusiast who gathers a crowd of worshippers round him claims for his sect 'pentecostal' manifestations; the flaming up and dying down of enthusiasms is a commonplace. The Franciscan Order, the Jesuits, the Quakers, the Wesleyans, and in more recent times the Irvingite Church, the Salvation Army, the Church of Christian Science, and the missions set on foot by the evangelists Moody and Sankey, bear witness to the permanence of institutions founded in religious revivals; and where enthusiasm has been perverted or petrified by common use, innumerable individuals trace the beginning of a new life to conversion experienced in a moment of spiritual fervour.

In order to inspire or arrest these moments the bishops and clergy of the Church of England, taught by the experience of other religious communities, have organised missions, general, diocesan, and parochial. Mission Societies have been formed in most dioceses, and Missioners appointed who hold Missions, Retreats, and Quiet Days, with courses of sermons and addresses, special services for men and for women, Advent and Lent courses; directing their attention especially to the poor, whom it is difficult to draw within the walls of a church, and trying to retain a hold on the young people whom they have been able to touch by the help of attractive services, personal appeals, and sacramental teaching. When we read that a year's mission work in one diocese included a Retreat, twenty Quiet Days, sixty-two Mission visits, and 200 courses of sermons; and in another, besides the work of twenty lay associates, thirteen Sunday visits by the Missioner, 500 sermons, Advent and Lent courses, and parochial and teaching missions, it is obvious that the Church of England is not asleep, and that she has learnt to employ methods and agencies unknown fifty years ago. To this is to be added the immense but mainly silent activity of sisterhoods, and in a smaller degree of priestly colleges. A great part of this labour, moreover, is either gratuitous, or supported by voluntary benefaction.

The Church of England has assumed a cautious attitude in reference to revivalism outside its own borders. The sympathy of Archbishop Tait was claimed for the evangelists Moody and Sankey in 1875, and for the Salvation Army. In both cases he took the position that the fullest sympathy was due to the intention of these irregular movements, and to much of the doctrine preached; but he declined to associate himself with their methods, thinking much crude and not a little unwise and even dangerous. He upheld the view that the Church of England was 'the bulwark of the Reformation,' and so in sympathy with all true religious movements in the Reformed Churches in England or abroad. He did not withhold his interest from the Evangelical Alliance, nor from the General Conference of Christians held at New York in 1870; but he would not, holding the position that he did, compromise either himself or the Church

Revivalism.

by active co-operation, a course which would certainly have led to dissension in the Church, and possibly to disruption. A like central position was observed and recommended by Tait in regard to the various branches of the Catholic Church. He would unchurch neither Romanists nor Orientals nor Protestants, nor seek for an artificial and unnatural reunion with any; and since his time the common platform of charitable action has been enlarged and strengthened.

Church Army, 1882.

The Church Army, founded in 1882 by the Rev. Wilson Carlile, as a working men's mission to working men, and divided into an evangelistic and a social department, has successfully imitated and improved upon the popular methods of the Salvation Army. Side by side the Church Army, the Salvation Army, and the unnamed army of High Church Missioners are working their way among the innumerable obstacles attending the congestion of population in our great towns.

Diocesan societies.

There is no part of church work which is not now transacted to a large extent through the agency of diocesan societies, which deal with various branches of education, Sunday schools, missions, both home and foreign, church building, church music, clerical incomes, supply of curates, rescue and relief work, charitable aid to the poor and sick, orphanages, hospitals, convalescent homes, nursing institutions, houses of refuge and penitentiaries worked chiefly by Sisters and Deaconesses. Every parish magazine—and no parish magazine existed half a century ago—is full of the details of these activities, which bring order and the principle of association into church work without stifling individual enterprise.

Royal Commission and Clerical Subscription Act, 1864, 1865.

Whilst the clergy, and conspicuously the tractarian clergy, were making great efforts to evangelise the poor, the conflict of opinion in religious, philosophical, and scientific thought, of which the publication of *Essays and Reviews* was one of the symptoms, made it difficult for many clergymen to retain their position in the Church. Some resigned livings and fellowships; some, encouraged by Stanley and his friends, compromised between the new and the old. It was generally felt that the stringency

of the terms of clerical subscription created an unnecessary difficulty, and a Royal Commission was appointed in 1864 to inquire into the conditions of clerical subscription. This Commission reported unanimously in favour of an alteration in the terms of subscription, which had already been drafted by Convocation; and the report was accepted by Parliament with but little debate. The form of affirmation required under the Clerical Subscription Act of 1865 (28 and 29 Vict. c. 122) is a declaration of 'assent' to the Prayer Book and the Thirty-nine Articles, and a promise to use in public prayer and administration of the Sacraments the forms prescribed in the Prayer Book, and none other, except by lawful authority.

There was still no lawful way for a clergyman to obtain relief from the restraint of Holy Orders. A bill to facilitate this was introduced in 1862 by E. P. Bouverie, Member for Kilmarnock. There were strong arguments against the change: the sacramental or quasi-sacramental indelibility of orders; the danger of allowing so solemn an obligation to be laid aside by a change of mind; the sanctity of vows; the sacredness of the profession; and Parliament was not ready to accede to the request.

Bouverie's Clerical Disabilities Bill, 1862.

A Committee of Convocation was appointed in the following year to report generally upon the subject. The Committee reported that by Canon 76 of 1604 no priest or deacon is permitted to relinquish his orders under pain of excommunication; and they remarked that the clerical calling is voluntarily accepted, and with a full knowledge of its permanent obligations. But the Church would gladly be free of persons who dissent from its doctrine or discipline; and the Committee did not wish to hinder such persons from leaving the ministry and being freed from civil disabilities and penalties, provided that (1) the indelibility of Holy Orders were fully recognised; (2) no encouragement were given to the notion that the ministry may be regarded as an experimental profession; and (3) a *locus poenitentiæ* were left. After long delays, Bouverie brought in a Clerical Disabilities Bill in 1870, which became law in the course of the session. Under this Act (33 and 34 Vict. c. 91) it is lawful for any priest or deacon to relinquish his Orders by executing a deed of resignation, and thereby to

Clerical Disabilities Act, 1870.

become incapable of officiating or holding a benefice in the Church of England; and disqualifications attaching to the clerical office were removed, such as the ineligibility to municipal office or to a seat in the House of Commons. The bill passed the Commons with a proviso, urged by Beresford Hope, that a clergyman taking advantage of the Act might, if he thought fit, take up Orders again; but this clause was expunged by the Lords. Little use has been made of the Clerical Disabilities Act. Clerical disabilities do not enter into the ordinary life of a layman; and the influence of Tract 90, of Privy Council judgments, and of the revulsion of feeling which attended the controversies of 1860 and the succeeding years, and caused the passing of the Clerical Subscription Act, have greatly modified the interpretation commonly put upon terms of subscription.

Among the lesser inconveniences attaching to the system of benefices which prevails in the Church of England was that which was and is still felt, when a clergyman is incapacitated from discharging the duties of his cure by illness or other infirmity. The right of property vested in a benefice was more regarded than the fitness of the person in possession, and no law existed under which a beneficed priest could resign his preferment without losing all claim to its revenues. To this day no regular system of superannuation or pension has been put into effect, nor can any incumbent be forced to retire (except for moral delinquencies) unless he is of unsound mind or entirely incapacitated by illness; but in the year 1871 the Incumbents' Resignation Act (34 and 35 Vict. c. 44) was passed, under which a rector or vicar may resign his cure, retaining a pension not exceeding the value of one-third of the benefice. The Act of 1887 (50 and 51 Vict. c. 23) further settled the conditions of pensions under the former Act.

Incumbents' Resignation Act, 1871.

A similar Act had been passed in 1869 (Bishops' Resignation Act, 32 and 33 Vict. c. 111), under which an archbishop or bishop can resign his see by reason of age or infirmity, and receive a pension not exceeding £2000 from the revenues of the see. Under this Act a see may be vacated on evidence of the occupant's permanent mental incapacity, and the Sovereign is empowered to

Bishops' Resignation Act, 1869.

proceed as in the case of vacancy. The successor is to be styled Bishop-Coadjutor, and succeeds on the death of his predecessor, except in the cases of Canterbury, York, London, Durham, and Winchester, in which the Crown is free to appoint.

The need of some joint action of clergy and laity to prepare measures for the consideration of Parliament was allowed by all; but the machinery of Convocation was rusty, and its representative character imperfect. The laity were not represented in Convocation, and the Bishops' Bench was the only point of contact between Convocation and Parliament. On February 1869, the Bishop of Oxford (Wilberforce), presented a petition to the Upper House of Convocation, that the settlement of doubtful points of ritual and of rubrical conformity might be effected by the joint action of the Convocations of Canterbury and York, and that the Royal licence should be procured for making canons to that end, and if necessary for obtaining the subsequent sanction of Parliament to give to such canons the force of law. The Bishop believed that the addition to the Ornaments Rubric of such words as, 'or which shall from time to time be appointed by the Convocations of Canterbury and York, with the assent of Her Most Gracious Majesty,' would probably settle the whole question; for the petitioners and those who agreed with them objected to the alteration of church law by Act of Parliament, and would do all they could to oppose it, but they would acquiesce in rules laid down by the rulers of the Church. Such matters as vestments were, as Archbishop Tait said, questions of by-law; and it was not unreasonable that Parliament should give the Church the power of enacting by-laws. This petition was received with some favour. It put the regulation of matters of by-law into the hands of the clergy, whilst it reserved the sanction of clerical legislation to the Crown and Parliament. The weak point was that the laity in Parliament might not choose to consider ritual as a mere matter of by-law, and a deadlock might result. They might hold, with Lord Shaftesbury, that ritual was 'eminently a question for the laity.'

Convocation and Parliament.

An attempt to amend the rubrics under the Letter of

Business granted to Convocation on February 7, 1872, after the fourth and final report of the Ritual Commission had been submitted to the Queen, led to no more than the passing of the Shortened Services (Act of Uniformity Amendment) Act, 1872 (35 and 36 Vict. c. 35). The new Lectionary drawn up by the Ritual Commission and approved by Convocation had been legalised the year before by the Prayer Book (Table of Lessons) Act (34 and 35 Vict. c. 37) 1871. But Convocation shrank from submitting the draft of an amended Prayer Book to the decision of Parliament. Amendments might be made in the course of debate without the advice or sanction of the clergy. The Ornaments Rubric therefore was not submitted to Parliament, but a note was appended to the recommendation of the Commission, leaving the rubric as it stood, with the addition of the words, 'until further order shall be taken therein by the authority of the Queen's Majesty, with the approval of Parliament, upon the recommendation of the provincial synods or Convocation of Canterbury and York' (May 1877). In February 1878 the Canterbury Convocation agreed that the right method of ecclesiastical legislation was the drafting of canons and constitutions by Convocation acting under the Royal writ and the mandate of the Archbishop; canons so made were to be laid before the Queen in Council and, if the Queen were so advised, also upon the tables of both Houses of Parliament, and should become law, unless within a certain limited time an address were presented to the Crown by either House of Parliament. But all this activity had little result. The fundamental difference of opinion was not removed.

Lectionary and Shortened Services Acts, 1871, 1872.

To the end of his life Archbishop Tait was engaged with the strife of ritual, so trivial in his eyes, so vital to many good men in the Church. He had hope in the calming counsels of the bishops assembled at the Lambeth Conference of 1878, the large majority of whom were untouched by the difficult questions connected with an established church. The assembled bishops unanimously affirmed the principle 'that no alteration from long-accustomed ritual should be made contrary to the admonition of the Bishop of the diocese.' But the Lower House of the Canterbury Convocation would not accept this

Lambeth Conference and Convocation, 1878.

advice. As it was now seven years since Convocation had asked and received Letters of Business, Archbishop Tait proposed that 'the universal use should be surplice, stole, and hood; this resolution was accepted by the bishops, but rejected by the Lower House in June 1879. The Archbishop then summoned a conference of the two Houses; and the result of his energetic action was that Convocation gave up the point, and presented a report to the Crown which included a revised edition of all the rubrics contained in the Prayer Book; but with it a recommendation that no legislation should take place under the present legislative system for Church matters. What Convocation wished was that they should draft canons to be laid before the Queen in Council and then before Parliament, and to have the force of law if not petitioned against there, so that they might have a spiritual force before legal ratification; but Parliament was not likely to bind its own hands by limiting its power of independent legislation. No steps have been taken to put this proposal into effect; the Ornaments Rubric remains unaltered, Parliament still exercises the sole power of ecclesiastical legislation, and Convocation disputes its right.

Clergy and laity.

The position of the laity in the Church had never been defined. On the one hand the power of the State and of the landed gentry was felt in every part of church action; on the other, the tractarian school was jealous of lay encroachment and exalted the privileges of the clergy. How to interest the laity in the affairs of the Church without unduly subjecting the clergy to their influence was and is a difficult problem. In particular, the want of parochial organisation had been felt as a grievance by many Churchmen, especially in country districts, where the control of church affairs was often entirely in the hands of the parson and the squire, or of a small knot of charitable people who, because they take a practical interest in the working of the parish, do not wish to be interfered with by others who are not practically interested. A grievance of this kind may be felt where it is not expressed; its expression is often exaggerated. Parochial affairs of all kinds may be so worked by a clergyman as to give universal satisfaction, or to give no

satisfaction at all. In the latter case, unless there is gross scandal, there is no remedy; the 'parson's freehold' enables a newcomer of his own authority to upset, if he chooses, all the arrangements of his predecessor. It could not be denied that the parishioners had a near interest in all such things; but they had no legal right.

Church Reform Union, 1870.

The Church Reform Union, an association of Liberal clergy and laity, among whom Canon Fremantle, now Dean of Ripon, was prominent, was formed in 1870 for the purpose of furthering legislation, such as had been recommended by the Ritual Commission of 1868, and by Archbishop Tait in Convocation and elsewhere, tending to the diminution of clerical power, by giving the laity a legal right to share in the government of the Church.

Convocation on lay co-operation, 1871.

A report of a Committee of the Lower House of Convocation on lay co-operation was issued on February 14, 1871, to the effect that there ought to be real co-operation in counsel as well as in work between clergymen and their parishioners. In smaller parishes any council beyond the incumbent and the churchwardens might be unnecessary: in populous parishes it was desirable that a more numerous council should exist. Since the vestry no longer necessarily consists of Churchmen or even Christians, the Committee recommended that the incumbent and a certain number of communicants of full age should form a parish council. This council would not have power to debate any questions except such as were submitted by the incumbent or with his consent; the majority and the incumbent would have the decision, with appeal to the Bishop if they disagreed. They thought it premature to propose any statutable authority for parochial councils. This proposal did not satisfy the reformers, who saw in it an assertion of the clerical and autocratic theory of church government, whereas their theory was democratic, and would admit the laity of the nation, as of right, to a share in the government of the national Church. Nor has the clerical party lowered its claim since that time.

The subject of parochial councils was debated, with much appearance of public interest, at the Church Congress held in the same year (1871) at Nottingham; and at a large public

meeting at St. James's Hall, on February 15, 1872, as well as at a meeting at Lord Shaftesbury's house in Grosvenor Square on May 11, resolutions were passed approving the principle of parish councils with statutory powers. Trusting to some favourable expressions of the Prime Minister (Gladstone), Lord Sandon brought forward a Parochial Councils Bill in the House of Commons on March 29, 1871, with good hope of being able to pass it. The bill was in agreement with Canon Fremantle's scheme, though on different lines. Lord Sandon complained that the laity had less share in the government of the Church than before the reform of the poor law and the abolition of church rates, when they had more frequent opportunities of meeting the clergy in vestry; isolation and the absence of criticism tended to make the clergy autocratic, for in matters of ritual, in which the Prayer Book referred the clergy to the bishop in case of doubt, 'no one had any rights but the incumbent, and he had no doubts.' He therefore wished to establish parish councils by law. The bill proposed that any parish which should desire it might demand the institution of a church board or parish council, three-fourths of which should be elected by the whole vestry, and one-fourth nominated by the incumbent. The councillors or sidesmen were to be communicants; for churchwardens, as heretofore, no religious test was proposed. The council was to have a vote on all matters interesting the parish, except those which were either regulated by law, or were by custom entirely in the hands of the incumbent.

Lord Sandon's bill, 1871.

Those who opposed the bill spoke of the danger of government by farmers and small tradesmen, instead of the paternal control of bishops, and of substituting an experiment likely to lead to local discord and the manufacture of parish politics, in the place of the well approved hierarchy of incumbent, archdeacon, and bishop. The Prime Minister treated the question as not of primary necessity. The improvement of services he thought to be the business of the clergy, not the laity; he feared confusion of organisation in large towns between parishes and congregations; and finally advised Lord Sandon to go no further than the second reading of his bill. Sir

The bill dropped.

Richard Cross, a friend of the Church and a Conservative, also advised delay; the question was not ripe for legislation, since the laity had not sufficiently considered it. The bill, therefore, went no further. Church questions ripen slowly; the clergy do not like the idea of lay control, the laity are indifferent. In 1878, when the question again came before a Church Congress at Sheffield, the result was disappointing; and since that time the subject of lay control has not received great attention, either in diocesan synods or in Convocation, where the predominant feeling is against giving any but a voluntary status to lay councillors. The principle of the Church of England is autocratic and hierarchical, though in practice it is controlled by the secular power. To introduce the principle of lay representation by popular election would be to admit a strong democratic element; and the clergy would naturally feel that they ought to be fully consulted before steps are taken to legislate for them.

Grey's Church Boards Bill, 1881.

For nine years no parliamentary action took place; and when, on April 27, 1881, the Hon. Albert Grey (now Earl Grey) brought in a Church Boards Bill for creating parish councils, his proposals went further than those of Lord Sandon. He disclaimed all hostility to the clergy; he believed that to relinquish the principle of autocracy and accept that of co-operation would greatly increase their power of doing good and their just influence among their parishioners. His bill, like Lord Sandon's, applied no test of churchmanship for electors, and provided that all members of parish councils should be appointed by election, not nominated. Lord Sandon's bill required that all parish councillors should be communicants; Grey's dispensed with tests altogether. The admission of Nonconformists to a share in church government would, he believed, tend to make the Church more truly national. The intention of the bill was not that the laity should command the clergy, but that they should have a right to object to the ordering of everything by the clergy. The bill was permissive, and provided that in parishes which adopted the Act, a board elected by the parishioners should decide upon any changes proposed in the services, decorations, vestments, and arrangements of every kind.

The incumbent would have an appeal to the bishop, but if the bishop approved the decision of the board, the clergyman must comply. The church board was also to take charge of the ecclesiastical property and all financial matters. The bill was withdrawn. It was noted that, by imposing no test beyond a declaration of church membership, this bill would have made it possible that in some parishes, and in some parts of England, a church board should be entirely or in great part composed of Dissenters: in such a case the term 'Church Board' would be a misnomer, and the position of the incumbent would be intolerable. But Lord Grey's words in meeting this objection are worth consideration: 'The policy of trust is a stronger and more effective policy than the policy of suspicion. Distrust, it has been well said, the want of confidence between man and man, and classes of men, is at the root of half our social miseries.'

Dean Church's objection.

Dean Church, however, who was neither an alarmist nor a bigot, and had had nineteen years' experience as a country clergyman, saw in the Church Boards Bill 'a revolution in the Church, hardly less than those made in the time of the Commonwealth.' It transfers, he wrote, the spiritual and religious work of the incumbent, for which he is responsible to the bishops and the law of 'this Church and Realm,' to a new body. . . . And this body is neither the communicants, nor the congregation, but 'a body which does not profess to be even Christian: a body elected by ratepayers or parish voters. It creates the Presbyterian organisation in every parish, minus the requirement that the lay elders should be either Churchmen or Christians.'

Convocation on parochial councils, 1883, 1886.

In 1883 the Lower House of Convocation reported against the Church Boards Bill, and deprecated legislation, but wished for the co-operation of lay Churchmen with the parochial clergy. Though successive attempts to give the laity a statutable right of control in church affairs had been frustrated or postponed, Liberal clergymen as well as laymen did not allow the subject to drop out of sight. In December 1885 Westcott and others among his friends presented a memorial from Cambridge to the Archbishops and Bishops, desiring immediate action as to redistribution of clerical revenues, Church patronage, and

clergy discipline; and urging especially the 'admission of laymen of all classes who are *bonâ fide* Churchmen to a substantial share in the control of church affairs.' No legislation took place; the time had not come even for the appointment of a Commission of Inquiry. But the opening in the following year, 1886, of the Canterbury House of Laymen was welcomed by Archbishop Benson as 'some initiation,' at least, of a central organisation of lay control. On May 14, 1886, the Dean of Gloucester, Dr. Butler, now Master of Trinity College, Cambridge, moved an amendment in Convocation dealing with the subject. His speech on this occasion contains all that can be said in support of parochial councils from the point of view of a Liberal Churchman. Voluntary councils were, he said, as pioneers, of the utmost value; as substitutes, wholly inadequate. A parochial council might act as a check, it might also be an encouragement. A nominated council might be merely a clique; and even if the best possible council were selected, the moral value of such a council would not be the same as if the members of it felt themselves part and parcel of the constitution of England. The position of Convocation itself owed its dignity to its constitutional character. He wished to see that constitutional right extended far and wide throughout the Church of England, that the humblest man in every parish should feel that the Church was indeed his own.

In the Upper House, the Bishop of Gloucester and Bristol (Ellicott) spoke of the need to make the Church of England once more national, by giving the people a voice in the choice of their ministers, the control of church funds, and the arrangement of services. The Church, he said, should include the entire Christian life and thought of the nation; but distinction must be made between Churchmen, Nonconformists, and unbelievers. Bishops gave willing testimony that where voluntary councils had been set up they had succeeded; the general tone of the debate was in favour of lay help and sympathy, but not of 'vexation and control.' The bishops did not, however, recommend the formation of boards with defined statutory powers, until the principles on which they were to be founded should have been considered and approved by the synods of the Church.

Bishop Ellicott.

Since that date the question has not been seriously taken up. Parish councils exist in many places, and have been found to work well. They are voluntary associations of individuals, and any power they may exercise may be taken away at the pleasure of the incumbent; no step has been taken to obtain the sanction, either of the bishops or of Parliament, to a general scheme of parochial councils.

A question early debated in Convocation was that of the admission of the laity to some share in their deliberations. In the year 1857 a proposal was made in the Lower House of the Canterbury Convocation to create a lay body which should sit at the same time, if not in the same House, with Convocation; but the proposal was not received with any favour. In 1870, after thirteen years' neglect, Committees were appointed by the Convocations of Canterbury and York, which reported in favour of the creation of a consultative body of laymen to be nominated by the Crown, the bishops, and the diocesan conferences. No action was taken upon this till 1877, when, on April 27, the Lower House of Canterbury passed a resolution that it would be for the advantage of the Church that an assembly of laymen should be formed in each province, to be convened from time to time by the Archbishop; the laymen to be elected in each diocese by the lay members of the diocesan conference, concurrently with the election of proctors of the Lower House of Convocation, *i.e.* after every dissolution of Parliament. The House of Laymen was always to be consulted before application was made to the Crown or Parliament to give legal effect to any act of Convocation. This resolution was discussed at various times in Convocation, but without result.

Lay co-operation with Convocation.

In 1881, however, Lord Arthur Hervey, Bishop of Bath and Wells, brought the matter forward again. He said that it appeared to him impossible that so self-reliant, independent, and free a people should submit to be ruled by the clergy alone, that is, by Convocation, in matters which related to religious and church questions. The laity ought to have a voice in the affairs of religion. In ancient times the lay element was furnished by Parliament, but Parliament no longer represented the laity of the Church.

Advance in 1881.

In dissenting bodies, in the Church of Ireland, and in the American Church, the laity had an influential voice. On the other side, it was said that Convocation had a constitutional position and a clearly defined character; laymen could not constitutionally sit with the clergy in Convocation, and if they sat apart there was danger of their overshadowing Convocation itself. Some speakers showed alarm at the idea of the laity being consulted at all, or even permitted to hold discussion, on questions of faith and doctrine; laymen, it was said, were not theologians, and must not intrude on sacred ground. Ultimately the bishops assented to a resolution excluding from the lay sphere subjects 'which shall be judged especially to touch faith and doctrine,' and they added a proviso declaring the right of Convocation 'to pronounce finally for the province' according to the ancient 'usage of this church and realm.'

The constitution of a House of Laymen, as a voluntary association, was agreed upon on July 8, 1885, and transmitted to the Convocation of the province of York.

Constitution of a House of Laymen, 1885.

The House was to consist of a body of lay communicants elected to confer with the members of Convocation; they were to be appointed by the lay members of the diocesan conferences; the total number, including ten to be nominated by the Archbishop at his pleasure, amounted to about 120; they might be consulted on all subjects which did not bear upon doctrine; they might originate discussions on other subjects, and must in all cases communicate to the Archbishop the results of their deliberations. These resolutions were carried with the general acceptance of Convocation, with the exception of that which withdrew matters of faith and doctrine from the purview of the House of Laymen, on which point there was prolonged debate. Finally, the excepting clause was drawn as follows: 'Saving only the definition or interpretation of the faith and doctrine of the Church.' This the Archbishop did not take to debar discussion of such subjects by the lay assembly, but only to deny its authority to define or interpret them. The Canterbury House of Laymen held its first session on February 16, 1886. It was not till six years later that a similar House of Laymen was elected in the

province of York; the first meeting of which was held on April 20, 1892, under the presidency of Lord Cross. The rules and by-laws of this House are almost identical with those of Canterbury.

From the first, people of importance have been members of the Houses, and have given time and attention to the business brought before them; and though the Houses of Laymen have no constitutional status, and their proposals do not come officially under the notice of Parliament, the knowledge that what reaches Parliament from Convocation through the archbishops and bishops has been previously submitted to and approved by the Houses of Laymen, has no doubt contributed to the parliamentary solution of Church questions, such as the Church Discipline Act of 1892 and the Benefices Act of 1898.

In order to bring the Houses of Laymen into closer co-operation with Convocation, the Representative Church Council was devised. After much discussion, continued at intervals during several years, it was decided that all the members of the two Houses of Convocation and the House of Laymen in the provinces of Canterbury and York should meet in Council when summoned by the two Archbishops. One important result secured by this arrangement was the practical though not official union of both provinces in one assembly. Such an institution bears a democratic complexion, and carries within itself the seeds of development, and of possible danger to clerical ascendency. But if any application of democratic principles to the Church of England is ever to be attempted, the right of the laity to share in Church government, as a matter of right and not of grace, must be freely recognised.

Representative Church Council constituted, 1905.

One of the most inveterate and widely spread scandals in the Church was that connected with the patronage of benefices, whether in public or private hands. In ancient times the division of dioceses into parishes took place by slow degrees. The first parishes were for the most part conterminous with the estates of landowners who built churches for themselves and their dependants. The

Origin of advowsons.

right of advowson (*advocatio*), or perpetual appointment of a priest to a church, was conceded by the Church to the donor of the church, or the lord of the manor, and became attached as heritable property to his estate. Monasteries acquired the same right; and when the monasteries were dissolved their rights as rectors and patrons went with their manors. By neglect and custom, and the hardening of ideas of property, advowsons were severed from lands and could be granted or sold separately, and thus became a marketable commodity. Neither ecclesiastical censures, nor declarations upon oath, nor parliamentary statutes prevailed against the practice.

Abuse of patronage not remedied in 1836-1840.

In the nineteenth century the transfer by sale of the right of presentation was one of the most obvious and the earliest noted abuses. When the first wave of reform broke upon the Church, there was little question as to the propriety of private patronage. But the sale of advowsons and next presentations was a blot on the Church system. The practice, however, was so entangled with the rights of property that to touch it was, and still is, a matter of extreme difficulty; so much so, that when other ecclesiastical abuses as notorious, nepotism, pluralism, and its companion non-residence, were destroyed or diminished by the salutary legislation of 1836 to 1840, the abuses connected with patronage were for the most part left untouched.

Method of exercising the right of patronage.

The exercise of the right of presentation, however acquired, was a matter of wider interest. A hundred years ago, public ecclesiastical patronage was given in the same manner as places in the civil service; that is to say, as a reward for party services rendered, or a fee for services to be done, an insurance against mischief, or merely a gift in the disposal of an ecclesiastic or a minister, which might be bestowed upon a relation, a friend, a dependant, or a friend's friend. The common rule was that expressed in the congratulation of one Irish bishop to another, 'My Lord, I wish you every joy of your appointment; you will now be able to provide for your large family: You will marry all your sons to the Church, and the Church to your daughters.' Sons, sons-in-law, and nephews of bishops had episcopal preferment; sons, sons-in-law, and

nephews of deans and canons capitular preferment; colleges passed vacancies down the list of Fellows, fit or unfit, or by the device of 'options' converted them into personal gifts. There was no more danger of scandal than at Rome in the fifteenth century or in France under Lewis XIV., for the idea of public responsibility in such things hardly existed. As for private property in advowsons and next presentations, it was, within certain restrictions, as much and as little a marketable asset as acres of land or shares in a company. A man bought a living for his son as he bought a commission in the army, for purchase was not peculiarly an ecclesiastical custom. In either case he bought a property involving a trust; the military trust formed part of the military code of honour; the sacred trust might be performed by deputy, or not at all. The bishops were absent or incurious, the standard of conscience was low; a clergyman in most cases was but a layman in a black coat, and if he was more than this, was called Methodist or Puseyite, according to the fashion of the time. Methodist and Puseyite raised the standard of clerical duty, and with the standard of duty rose that of decency, obeying the ethical movement to which the events of 1832 gave publicity.

Patronage a species of property.

It was a menace to private patronage when, by the Ecclesiastical Duties and Revenues Act of 1840 (3 and 4 Vict. c. 113, s. 41), the patronage belonging to deans and chapters, in their individual capacity, which had practically become private patronage, was transferred to the bishops. But it is easier for Government to lay sacrilegious hands on corporate property than on private. Corporations may be dealt with *en masse*, and a man can bear to see his neighbour robbed if he himself is safe; but he is not safe, if his neighbour is not a corporation but an individual; the *proximus ardet* argument outweighs all others, and bands men together in defence of the abuse as well as of the right to which it is annexed. But though the arguments which to this day are heard in defence of the present system of patronage are founded in ideas of property, not in ideas of right, practice has outrun theory, and the patron of these days willingly acknowledges a responsibility

Ecclesiastical Duties and Revenues Act, 1840.

to the parish, the bishop, and in the last resort the press, which was not so widely operative a hundred or even fifty years ago.

After an attempt to legislate had been made in 1870 by R. Assheton Cross (now Viscount Cross), which would have abolished the sale of next presentations, Bishop Magee of Peterborough brought in a Patronage Bill in 1874. In introducing this on April 21, the Bishop showed how the possession of a property in ecclesiastical patronage estimable in money lowered the level of thinking. How often, he said, do we see advertisements describing eligible livings in the market,—'good trout stream,' 'adjacent coverts,' 'agreeable country society,' 'incumbent in advanced years,' or even 'immediate possession.' These things were notorious. Patronage was looked upon too much as property, too little as a trust; properly speaking, it is a right to execute a trust; property in this case is the incident of a trust, not a trust the incident of property. The Bishop did not attack the conveyance of patronage by purchase, if the execution of the trust were secured. The bishop was the guardian of the spiritualities of a living; the patron, of its temporalities. The patron's right was that of presentation, not appointment. The bishop should be able to refuse institution, not only for reasons of faith or morals, but for age or physical infirmity, without going to legal expenses which are uncertain of effect and ruinously expensive. Among the bitterest experiences of a bishop's life he declared to be the necessity of instituting unfit persons. He would give the parishioners a right to state objections to an appointment; a *Si quis* should be read in the parish church, as in the case of ordination; he deprecated popular election. He proposed to abolish the sale of next presentations, and with it the casuistical and legal sophisms connected with it. The legal declaration, 'to the best of my knowledge and belief,' he considered to be 'a premium to induce men to cultivate ignorance as to the law of simony.'

Bishop Magee's first Patronage Bill, 1874.

A select Committee of the Lords was appointed, and evidence was given before them which showed that much scandal existed. It was said that people bought advowsons principally to present themselves, and that if the sale of

next presentations were forbidden by law, the traffic, with all its accompaniments of agencies, bribery, and practical perjury, would dwindle away; the grant of a moderate time limit, within which sales should be lawful, would provide sufficient compensation. It was stated that the total amount of ecclesiastical patronage in England and Wales represented an annual income of nearly three millions and three-quarters, of which rather more than half was in private hands. It was impossible to deal in a summary way with the disposal of so large an amount of property. The Committee desired that all legislation affecting church patronage should 'proceed upon the principle that patronage is a trust, to be exercised for the spiritual benefit of the parishioners.' It was acknowledged that private patronage had many advantages. The abuses connected with it were disregard of the interests of parishioners, want of publicity, and absence of any effectual check on improper appointment. The Committee recommended that all presentees should bring adequate testimonials, and that the parishioners should have the opportunity of making objection on the ground of age or moral or physical unfitness. They did not see how to forbid the sale of advowsons and next presentations; but they wished the declaration against simony to be expressed more precisely. The idea of simony as connected with transfer of patronage is of old standing. The intrusion of money into the spiritual field was checked neither by laws nor by oaths or declarations or spiritual censures; the abuse has slowly yielded to the growth of public opinion. The statutory simony oath (31 Eliz. c. 6, 1588) was commuted for a somewhat less precise declaration by an Act of 1865 (28 and 29 Vict. c. 12), and this was made more stringent in 1898. The sale of livings in order to build parsonage houses and augment livings is expressly permitted by Acts 19 and 20 Vict. c. 50, 1856, and 26 and 27 Vict. c. 120, 1863; and it is generally held that the sale and purchase of ecclesiastical preferment is legitimate in practice, though indefensible in principle. It would be considered scandalous, if it were possible, to sell the right of presenting to a bishopric or a deanery; but this feeling does

Evidence before the Lords' Committee.

Committee of the Lords, 1874.

Simony.

not extend to the sale of livings, because scandalous appointments are rare, and because many worthy people own advowsons and value their right as patrons, not for the money it is worth, but as a natural incident to their position as owners of land. The power to buy next presentations is only tolerated because of the difficulty which attends its abolition. The evil of clerical agencies and advertisement of advowsons is considerably abated; but the fact remains that it is still possible to convey from one owner to another, for a money consideration, and without imputation of simony or corrupt presentation, a right to nominate to the cure of souls so absolute, that the bishop can only refuse to institute in extreme cases, and then with difficulty.

Bishop Magee's second Patronage Bill, 1875.

On February 25, 1875, Bishop Magee again brought forward in Parliament the subject of Church patronage. His bill, which was founded upon the report of the Select Committee of 1874, had in principle, he said, the approval of both Convocations and nearly all the bishops. He described the delays and defeat of justice which occurred under the existing law, under which a single cause might be heard in five courts, and last nine years. He gave many instances of notorious abuse, amongst them that of a man of seventy-five who had come to him six weeks after institution and asked for perpetual absence on the ground of age. The bill abolished the declaration against simony, but made a remedy at law applicable. Bishop Temple supported Magee; he would wish all sales of livings to be prohibited, but as patronage was property, there must be power of sale or compensation. With private patronage on the whole he had no quarrel; the trust was discharged under a sense of responsibility, and gave variety to the representation; but the private patronage which came into the market was the worst sort of private patronage. The grievance was felt by the poor as 'a kind of personal degradation.' The Nonconformist shopkeeper taunts his fellow-townsman, who, with the rest of the parish, is sold like a sheep to the highest bidder. 'It was one of the things which made it difficult for men to lead Christian lives.' The Peers were cautious in dealing with a proposal which might lead to an invasion of the right of property; and

Archbishop Tait, on proposing to prohibit the sale of next presentations, was opposed by Lord Salisbury. The bill passed the Lords, and was formally received by the Commons, but perished with other bills at the close of the session.

Nothing more was done till 1878, when a Royal Commission was appointed. The report of the Commissioners was generally in agreement with that of the Lords' Committee of 1874. They considered that 'the varied system of patronage, public and private, interests all classes and ensures the representation of different views.' They recommended that the sale of next presentations should be forbidden, not that of advowsons. All transactions should be conducted in public and duly registered, with power to the parishioners to object, and to the Bishop to refuse institution, with cause shown, for physical incapacity, unsuitableness from youth or age, or insufficient testimonials. The aggrieved person might appeal to the Archbishop or the Court of Arches. The declaration about simony was to be made by both patron and presentee. A Royal Commission shows as many difficulties in action as reasons for action, and has often been the grave of a reform. Compensation was the difficulty; for the property with which it was proposed to deal represented a capital of some sixty millions.

Royal Commission on patronage, 1878.

The subject was debated again in 1881, during Gladstone's administration, on a motion by W. H. Leatham, Member for the West Riding of Yorkshire, in 1882, by E. W. Stanhope, and again in 1883 and 1884. Archbishop Benson adopted the principle of a carefully selected patronage board in each diocese, without whose sanction no sale should be valid. His bills, introduced in 1886 and 1887, did not become law; but in 1898 the Hon. Alfred Lyttelton, Member for Warwick, and Mr. Balfour, then first Lord of the Treasury, introduced independent Benefices Bills for the same purpose, and on similar lines. The Benefices Act of 1898 (61 and 62 Vict. c. 48), based on the Government bill, while dealing in a conservative spirit with the rights of patrons, prohibited making engagements at presentation to resign the benefice at a certain date or in favour of a certain person, forbade

Benefices Act, 1898.

the sale of next presentations, and ordered all transfers to be entered in the diocesan registry not less than twelve months after the last institution to the benefice. The transfer must be of the whole interest. A right of patronage must not be put up to public auction, unless it is sold as part of a manor, or with not less than 100 acres of land belonging to the same owner in the same or an adjacent parish. A stringent declaration against simony is required by the Act; and the bishop has power to refuse institution in case of physical, mental, or moral unfitness, grave pecuniary embarrassment, or neglect of duty in an ecclesiastical office.

Burial controversy, 1861-1880.

The burial laws were made the subject of a protracted controversy. As long as the parish churchyards sufficed for the needs of the people, the Dissenters brought their dead to be buried by the parson of the parish, and little was heard of a Nonconformist grievance. Interment in their own burying-grounds had long been lawful for Roman Catholics, Quakers, and other Nonconformists; but where separate burying-grounds did not exist there was a substantial grievance, since no person except the incumbent and churchwardens had right of access to the parish churchyard, nor could any other service than that of the Church of England be performed there, whatever might be the religion of the deceased or his relatives. Though Nonconformists who neither attend the services nor contribute to the maintenance of the Church of England have no share in its ministrations, except so far as the Church of England is the national Church, a claim which they do not admit, their dead have been buried in the parish churchyards and tolled for by the church bell for centuries past; and to shut them out from these charities seemed to them unjust. Clergymen have sometimes pressed their rights in an uncharitable spirit, and Nonconformists have magnified their rights and grievances, and endangered peace and neighbourly feeling in country places. When the growth of towns made new burial-grounds necessary, the control of the Church of England was questioned. Several Acts were passed, under which Burial Boards were established in places where new burial-grounds were wanted, and new cemeteries were divided into plots of consecrated and unconsecrated

ground, with separate chapels for Church people and Nonconformists. These enactments, intended for the relief of Dissenters, deepened the line of demarcation, and seemed to give the clergy an invidious power of exclusion; and in 1861 Sir Morton Peto, Member for Finsbury, a Baptist, brought forward a Nonconformists' Burial Bill, the principal provision of which was to grant the right of conducting funeral services in churchyards to others than ministers of the Church of England.

In 1864 Convocation attempted to deal with this difficulty, but went no further than to suggest that the civil penalties attached to excommunication should be removed; that spiritual discipline should be restored; and that any alteration of the Prayer Book, 'the common inheritance of laity and clergy alike,' was to be deprecated; they did not believe that the laity desired any alteration of the law. But the restoration of 'a godly discipline' is not to be looked for in these days. The question of the burial laws was much discussed in Convocation, not always in the most conciliatory spirit. It was difficult to use conciliatory language when at meetings of the Liberation Society men spoke openly of 'getting into the churches' as well as the churchyards, and regarded churches and churchyards alike as national property, to be 'employed for national purposes, and not reserved for the exclusive use of a sect.' To agitate for the abolition of church rate and yet claim to use churches and churchyards which were maintained by church rate was not equal justice. But the position of a national Church calls for sacrifices; and Dean Stanley was wise as well as high-minded in telling his brethren that the opening of the consecrated churchyards to all alike was desirable and necessary, 'not only as a political matter, but as a matter of Christian charity and wisdom.' He reminded them that Nonconformists could be buried by their own ministers in the churchyards in Scotland and Ireland, and in every European country except Spain and Italy. We should welcome, he said, the revival of church sentiment among the Nonconformists, as a recognition, involuntary perhaps, but not the less real, that our churchyards are the national churchyards, and our Church the national Church.

Convocation on the Burial Laws, 1864.

George Osborne Morgan, Member for Denbighshire, made himself the spokesman of the Dissenters, and brought forward several Burial Bills, some of which were passed by the House of Commons; but no legislation took place till 1880, when Lord Chancellor Selborne introduced and carried a bill on the subject. By this Act, the Burial Laws Amendment Act (43 and 44 Vict. c. 41), on notice given to the incumbent, burials may take place in the parish churchyard or graveyard without performance of the Church service or any religious service at all, or with any Christian and orderly service. No anti-Christian or anti-religious addresses are permitted. Clergy of the Church of England may, at the request of friends responsible, use any service consisting of Church of England prayers and portions of service prescribed or approved of by the Ordinary. The outcry caused by this bill was out of all proportion to the danger incurred by passing it. No scandal has been caused by it, and the controversy is forgotten — the law having become by disuse nearly a dead letter, even in Wales. It is difficult to understand how so moderate and equitable a measure can have excited such violent opposition, both in Convocation itself and from clergymen of high standing, as well as from the irresponsible majority. Archbishop Tait, whose action was spoken of as 'well-intentioned optimism,' judged more truly than his critics.

Burial Act, 1880.

The precedent of Irish Church disestablishment encouraged Nonconformists to hope that Gladstone would be their leader in an attack upon the Church establishment in England; and Gladstone, who committed himself to neither party, disappointed his church friends by his caution. He deprecated the raising of the question, as neither necessary nor allowable. 'It is a great, it is a gigantic question,' it might some day come forward as the first of all questions; but the time was not ripe. The theoretical arguments for disestablishment appear so obvious to Liberationists that the question cannot be practically approached on its merits as a large and complicated religious, social, and historical difficulty. On May 9, 1871, Edward Miall, Member for Bradford, formerly a Nonconformist minister, moved a

Disestablishment.

resolution in the House of Commons. The motion was supported by several Radical members, but the sense of the House was strongly against it. Gladstone, Roundell Palmer, and Bruce on the one side of the House, Disraeli on the other, spoke against the motion; and though much praise was given to Miall for the temper and spirit of his speech, it was rejected by 374 votes against 89; Gladstone saying in memorable words that if his honourable friend 'sought to convert the majority of the House of Commons to his opinions, he must begin by undertaking the preliminary work of converting to those opinions the majority of the people of England.' Disraeli attributed the movement to 'Nonconformists allied for the moment with revolutionary philosophers.' When, in the following year, Miall moved for a Royal Commission to inquire into Church revenues, the motion was negatived.

The question was not ripe for settlement; and it cannot be maintained that the Church in the forty years since that date has lost influence in the country compared with other religious bodies. The common enemy of all denominations is secularism and the socialism which is nursed by the conditions of great towns. The attack has been delayed because the advocates of disestablishment were not ready to act without a powerful leader, and no statesman has as yet been found bold enough to convert to secular uses a capital represented by an income of six millions, against the use of which no adversary, however bitterly he may oppose the principle and the tendency of Church establishments, can urge the existence of a crying scandal. The worst that the enemies of the Church can say is that the money could be better spent, that the clergy, the landed interest, and the House of Lords are in conspiracy against religious liberty, that the ceremony and dignity attached to the Church are worldly vanities, and that the permanent local position of the clergy, with the power that attends it, tends to depress the equal spirit of Christianity. A strong party within the Church itself favours disestablishment, on the ground that connexion with the State hinders the natural development of the Church, and that the appointment of bishops by the Crown, instead of their free election by the

The question delayed.

Church, maintains the Erastian control of the Church by the State and makes self-government impossible.

The advocates of disestablishment draw some of their principal arguments from Wales, where 'an alien Church' claims the allegiance of a Nonconformist and Welsh-speaking population. The proportion of Nonconformists to Church people has never been fairly ascertained. Church people wish for a religious census, Nonconformists resent the proposal as an insult. The proportion has been stated by Liberationists as 13 to 1, 10 to 1, 6 to 1; Church statistics tell a different story, and reckon the Nonconformists as 70, 60, or even 50 per cent of the population. The issue is confused by the population of mixed descent in industrial centres—but it is probable that a large proportion, perhaps 80 per cent of the Welsh-speaking population, is Nonconformist; where the national feeling is strongest, the 'alien' Church is weakest. It is well known that from the Norman conquest the Welsh Church was an integral part of the English; the epithet 'alien,' which may fairly be used of the civil authority exercised by the Lords of the Marches, does not apply to matters ecclesiastical. In the sixteenth and seventeenth centuries the Welsh people were loyal to Church and King. In 1715 there were only thirty-five Nonconformist chapels in Wales. The people were naturally religious, and subject to religious excitement, and they had evangelists of their own before the Methodists, among whom Griffith Jones (1683-1761), the founder of 'circulating schools,' Howel Harris, of Trevecca (1714-1773), and Daniel Rowlands (1713-1790) were the most conspicuous. None of these, however, seceded from the Church, or advised secession. Walpole's policy of appointing Englishmen to Welsh sees weakened the Church in Wales. From 1715 to 1870 no Welshman was made a bishop. The native clergy became demoralised; they either preached in English to congregations who understood nothing but Welsh, or did not preach at all. The poorer clergy, if Welsh, were dependent on their superiors. The gentry left off attending church; and when John Wesley preached in Wales, he found the people 'as little versed in the principles of Christianity as a Greek or Cherokee Indian.' Wesley's teaching, taken

The English Church in Wales.

up by Welsh preachers, converted the nation to Methodism. By 1800 the thirty-five chapels of 1715 had become a thousand. The bane of the Church in Wales for 150 years has been the introduction of an episcopate and clergy ignorant of the Welsh language.

This abuse has been abated, but its consequences remain. The question of disestablishment has become, as in England, not solely a religious, but also a political question. The Welsh gentry in the main oppose disestablishment, but the parliamentary representatives of Wales are urging it. The question is argued in churches and chapels, in the press, and on all platforms, and every Welshman is a politician. The strongest argument on the Liberationist side, besides the numerical argument, is that the Nonconformist churches are not only self-supporting, but contribute a much larger sum for purposes of religion and education than the Established Church; and on the other side, that the Church is growing in numbers, in intelligence, in power, and in national feeling, and that the cry for disestablishment becomes less reasonable year by year.

Increase of episcopate, 1877.

The continual increase of population, and a higher standard of episcopal duty, brought again into view the need for more bishops, but the need was not easily satisfied. An enabling Act was objected to as making the creation of new sees too much a matter of routine; endowments could not be provided without delay; it was feared that the ancient sees might be impoverished by contributions to the new sees more than they were relieved, and that the dignity of the episcopal office might be lowered. But the need was urgent, and in 1877 the Home Secretary, Mr. Assheton Cross, brought in a Bishoprics Bill for the foundation of four new bishoprics in England, viz. Liverpool, Newcastle, and Wakefield in the province of York, and Southwell in the province of Canterbury. The reasons given were obvious; they were well summarised by Archbishop Tait when the bill came forward again in 1878. He allowed that the multiplication of bishops, as of judges, might be carried too far, since it was not easy to find fit men to be bishops and judges. But increase of population made an increase in the number of bishops im-

perative; he had no fear that the new bishops would be inferior to the old, nor that the money contributed by voluntary munificence towards the endowment of the new sees would be withdrawn from the charities of the country or the maintenance of the clergy. Cross's bill met with little opposition, and received the Royal assent on August 16 as the Bishoprics Act 1878 (41 and 42 Vict. c. 68). This Act established an endowments fund, to be made up from voluntary donations and from the income of the see the territory of which was to be diminished; the endowment was fixed at not less than £3000 and not more than £3500 per annum, with an episcopal residence. The number of bishops sitting in Parliament was not to be increased. St. Albans and Truro had already been made episcopal sees in 1877.

Since 1878 the cry for more bishops has frequently been heard; but as the then Dean of Windsor (Davidson) said in Convocation in 1888, caution was needed lest a popular movement should hurry the Church into unseasonable action. Little part in the agitation had hitherto been taken by the leaders of the Church, and extravagant demands were made. It came to be an accepted principle that the episcopate ought to be increased by creation of new sees, not by appointment of assistant or suffragan bishops. He did not think that subdivision always diminished a bishop's work—more was demanded of the bishop by the diocese in proportion, and he gained no more freedom than before. About the same time the Canterbury House of Laymen put forward a scheme for gradual increase in the number of bishops by subdivision of the existing dioceses; new bishoprics, and if possible chapters, to be endowed in part by contribution from the diocese or dioceses to be divided, as under Cross's Act. This principle was acted upon in the case of the sees of Birmingham and Southwark, created in 1905.

Caution necessary.

The movement for increase of the episcopate, originally proceeding from the High Church party, and connected with a wish to return to primitive institutions, found an argument in the conditions of Cornwall, which had been included in the diocese of Exeter since the time of Edward the Confessor, but which was for centuries

The bishopric of Cornwall.

almost a foreign country, and never homogeneous with Devonshire. Devonshire is chiefly pastoral and agricultural; mining and fishing are the industries of Cornwall, and combine with Celtic racial origin to form a distinct character. Apart from its actual extent—the undivided diocese of Exeter contained about one-thirteenth of the area of England—Cornwall was difficult of access, and Bishops of Exeter were seldom seen there. In no part of England had the Church been less active and Wesleyanism more potent, both because of spiritual lukewarmness among the clergy, and because the warmth of Wesleyanism agreed with the temperament of the Cornish people. The division of the diocese had been greatly desired by Bishop Phillpotts, who offered £500 a year towards an endowment out of his own episcopal income. In 1864 Sir George Grey, the Home Secretary in Palmerston's administration, wrote, in answer to a letter from Archbishop Longley urging the claims of Cornwall, to say that such an application ought to be considered as part of a general scheme for the whole kingdom; that if this application were favourably considered other applications would be made, and that if the Ecclesiastical Commissioners were called upon to furnish part of the endowment of a new see they might think the money better spent in endowing poor districts.

The business, however, was now fairly started, and subscriptions began to come in. The initiative of public action was taken by Mr. Edmund Carlyon of St. Austell's at an Exeter Diocesan Conference in 1874, and, owing to his unremitting labour and the munificence and energy of Lord Devon and others, a large sum was quickly collected from Devonshire and from Cornwall, which took pride in its reconstitution as a separate diocese. Bishop Temple gave £800 a year from the revenues of Exeter. A diocesan committee was appointed, and it was soon announced that Lady Rolle of Bicton had given £40,000 to the endowment fund. The Prime Minister (Disraeli) would not promise any help from Government; but the Home Secretary, Cross, brought in and carried during the next session (1876) a bill for the revival of the ancient Cornish see as soon as the Endowment Fund should have reached the annual value of £3000. Truro was to be the cathedral city,

See of Truro founded, 1877.

and St. Mary's, Truro, the cathedral church. Dr. Benson, then Chancellor of Lincoln, and afterwards Archbishop of Canterbury, was consecrated Bishop of Truro at St. Paul's on April 25, 1877. His power as an organiser, shown at Wellington College and Lincoln, was recognised, and the event showed him singularly fitted to be the first bishop of so exceptional a see as that of Truro. He got hold of the Cornish people at once, questioned but respected their individualities and prejudices, and made his way with the Dissenters, who crowded to hear him. His work with the clergy was greatly helped by the vigorous rule of his predecessor Temple, as Bishop of Exeter, who had broken up with a masterful hand traditions of idleness and ignorance, and set the Cornish clergy working as they had never worked before. When Bishop Benson left Truro for Canterbury in 1883 there was but one voice in the diocese in praise of his organising influence and his personal character.

Meeting of Vatican Council, 1869.

The fall of the temporal power of the Pope is one of the capital facts in the history of the nineteenth century. The Syllabus of December 8, 1864, was Pius IX.'s challenge to what Pius X. calls 'Modernism.' The loss of the temporal sovereignty in the provinces alienated in 1860 was to be compensated by an assertion of spiritual autocracy no less unconditional than that asserted by Boniface VIII.'s bull *Unam Sanctam*. On the eighteenth centenary of St. Peter's martyrdom, June 29, 1868, the Pope announced his intention of calling an Œcumenical Council, which met at Rome on December 8, 1869. The intention of Pius IX. and his counsellors was to define as an article of the faith the Pope's infallibility when speaking *ex cathedra* on matters of faith and morals. The opponents of the definition were those who thought it inopportune, or those to whom it seemed a substitution of the voice of the *Curia* for the voice of the Church, and a divorce of religion and liberty. Among them were reckoned Dr. Newman, Cardinals Schwartzenberg and Rauscher, Archbishops Darboy and Strossmayer, and Bishops Dupanloup and Hefele.

It had been the wish of Darboy and Dupanloup that the Church of England should make the occasion of the

Council an opportunity for moving towards reunion. It was thought that Rome would concede conditional re-ordination, Communion in both kinds, the use of the English Prayer Book, and some *modus vivendi* about the cult of the Virgin Mary, and to clergy already married the retention of their wives. Some Englishmen were, or affected to be, surprised and offended that no invitation was issued from Rome to the English episcopate. But such speculations interested only a small section of the High Church party. The Church of England is too remote to feel the tides which set from Rome. Rome does not care for, hardly knows of, Anglican criticism, and advanced Anglican Romanisers have got but a little way beyond Trent; the result of the Vatican decrees of 1870 was to deepen the line of separation between the Roman Church and the Anglican, and to strengthen the papal power within its own borders.

Rome and the English Church.

The Catholic Universities of Europe made some show of resistance. A meeting of divines was held at Nuremberg. Hyacinthe Loyson (Père Hyacinthe) appealed to a free council. But the infallibilists at Rome were sure of their majority, and knew that a definition *ex cathedra* would be obeyed. In spite of the courageous resistance of Dupanloup and Strossmayer, the ultramontane party triumphed at the final voting on July 18, 1870, by a majority of 533 fathers to 2, and since that date the Roman Church is committed to the complete doctrine of papal infallibility. Those who see judgments in public events might interpret the entry of Victor Emmanuel into Rome on the last day of the same year as a divine rebuke to Vaticanism; those who uphold Vaticanism may see in the undiminished vigour of Rome, bereft of the temporal power, a divine testimony to the *soliditas cathedrae Petri*.

Papal infallibility defined, 1870.

The leaders among the 'inopportunists,' after the promulgation of the decree, obeyed, when what they had not formally denied was laid down as *de fide*, thinking that there was nothing left for faithful sons of the Church but to bow and be silent. Among the English theologians who obeyed were Newman and Lord Acton. Acton contrived, by an act of extraordinary mental agility, to combine love of liberty with complete submission

Newman, Acton, and Döllinger.

to the papal command; Newman was and remained an enemy of liberalism. The chief of the rebels was Dr. Ignatius Döllinger of Munich, the greatest ecclesiastical historian of his day. Döllinger did not recommend any open resistance. But some of those who thought with him, whilst unable to join any Protestant congregation, determined to seek a fresh organisation for themselves. They applied to the ancient Jansenist Church of Utrecht for the consecration of Dr. Reinkens as Missionary Bishop in Germany, and formed a secessionist body, known as the Old Catholics, which contained men of learning and piety, and engaged the interest of many English High Churchmen, among them Liddon, Pusey, Harold Browne and Gladstone. The Old Catholic body exists still, and aspires to a union of the Churches of the East and West; and conferences attended by English bishops, priests, and laymen were held at Bonn in 1874 and 1875, as well as in later years.

Old Catholics.

Some English Churchmen thought it right that official notice of the Papal decree should be taken by the Church of England. A Committee of Convocation, of which the Bishop of Lincoln (Wordsworth) was chairman, and which reflected his views, reported, objecting to the Council chiefly on the ground that it was not rightly called œcumenical; that its decrees had no claim for acceptance as the canons of a General Council, and that the dogma of papal infallibility is contrary to Holy Scripture and to the judgment of the ancient Church universal. In the debates on the subject in the Lower House of Convocation Dean Stanley took a prominent part. He thought that Convocation would go beyond its province if it dealt with the matter at all. As to the dogma itself, 'the Council could not possibly have affirmed a general proposition which could be more easily proved to be absolutely false.' By passing any resolution at all, Convocation would be giving to the subject an importance which did not properly belong to it, and misleading the Christian sentiment of the country. The Dean was not listened to; and the Convocation of Canterbury, on Prebendary Joyce's motion, adopted resolutions denying the œcumenical character of the Vatican Council, and stating that the dogma of papal infallibility now

Convocation and the Vatican decrees, 1871.

set forth is contrary to Holy Scripture and to the judgment of the ancient Church Universal; that the Pope's claim to supremacy is invalid, and that the Church of England is a living member of the one true Catholic and Apostolic Church; a comforting announcement to those who made it, but of little importance or interest outside the Jerusalem Chamber.

When the resolution of the Lower House came before the bishops in Convocation, Archbishop Tait spoke against the idea that in some way or other the Synod of the Province of Canterbury 'required to be cleared from complicity with the decrees of the Vatican Council.' He also said that it was important 'that nothing should be put forth that could in the slightest degree lessen our intimate fellowship with those bodies of Protestant Christians who are not so regularly constituted as ourselves, but who have done good service in the maintenance of the Catholic faith, not only in this country but on the Continent.' He did not, however, dissociate himself officially from the other bishops, but accepted the resolution sent up from the Lower House, which was carried unanimously on June 16, 1871.

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CHAPTER XVI

PRIMACY OF ARCHBISHOP BENSON

THE death of Dean Stanley on July 18, 1881, and of Archbishop Tait at the end of the following year, mark the close of a period of conflict, in which the honours of war were not adjudged to any of the combatants, but the issue was in favour of mutual toleration.

Dean Stanley.

Of Stanley it may be said that the marked influence which he exercised upon his time was due to his strong personal character more than to his literary or theological work. There was nothing strikingly original in his thought; he was not a man of great learning, still less of accurate knowledge. But his vivid and brilliant genius made everything new that he touched; he had the power of stimulating research, inspiring curiosity, and putting indolence to shame. He was looked upon, and not without reason, as an unsound theologian, but he compelled those who agreed and those who disagreed with him, whilst wearing their own colours, to work together and endure each other as members of the same Church. He was combative, even quarrelsome, in asserting the cause of liberty, but his combativeness worked for peace and comprehension; men of extreme views found themselves worsted in the combat, since the arena was public, and the feeling of the public, after the first, usually inclines to toleration. Stanley had bitter opponents, who considered him a heretic and a disseminator of heresy, but he made no personal enemies, which is specially remarkable because he did not care to weigh his words so as to avoid giving offence.

His doctrine of Christian toleration is summed up in words

written as early as 1837: 'It is against the spirit and not the form of division that the denunciations against schism are directed. If the heart of a man be full of love and peace, whatsoever be his outward act of division, he is not guilty of schism. . . . He is a schismatic, and he only, who creates feuds and scandals in the Church of Christ.' To the end of his life he was *qualis ab incepto*; and it is remarkable to find him attributing to Arnold's moderating influence the fact that he 'was not more radical than he was.' It may be freely acknowledged that in his zeal for toleration he sometimes showed himself too intolerant of intolerance, as when he refused the use of the Abbey for the Pan-Anglican meeting of 1867; on which occasion he took up a party position by assuming that the Abbey was to be used for a party purpose. He was indeed throughout his life a combatant and a partisan, and the horror with which he was regarded by Pusey, Keble, and Liddon was the natural consequence of his aggressive energy in defence of a cause which they believed to be that of anti-Christ.

His zeal for toleration.

Archbishop Tait, who died on December 3, 1882, was not only the most remarkable prelate that had sat on the throne of Canterbury since the Reformation, but occupied a position in the country at large unlike that of any of his brethren or predecessors for many generations. Tait has been called 'the Archbishop of the laity.' He was trusted by the laity as no other bishop was; his temperament and manner of thinking were those of a layman rather than a churchman, and his advice was sought and listened to by public men of all parties. He believed in the connexion of Church and State, and set himself with all his mind to learn the business of a statesman. A statesman requires knowledge of men's motives and sagacity as to their actions, and the sense of proportion which can distinguish between things that are important and things that seem important. Tait was never carried away by the cry of the moment; he was indeed inclined to think too lightly of it, and to go on his own way without sufficient consideration of the opinion of others. But he saw further than his opponents; and perhaps one reason why he was not always in harmony with the wants of the age

Death of Archbishop Tait.

was that he despised littleness, and did not make enough allowance for the littlenesses which go to make up the sum of public opinion. He looked for more common sense than the world contains. He was disliked by High Churchmen as an Erastian, by Evangelicals as unorthodox, and by the unorthodox as a trimmer. He had a difficult course to steer, and he did more than any of his contemporaries to reconcile old and new, and to resist revolution, whether it appeared in the guise of a return to ancient dogma or attacked old beliefs with the sword of science.

Tait's chief care was for the masses of the population, whom he desired to bring under Christian influences. His idea of the primacy was that of a universal patriarchate, above and remote from party, as far as possible independent of sectarianism, and he regarded himself as appointed to guide and control the most important and powerful religious body in the kingdom. He did not confound the Church with the clergy, nor ignore the millions who are outside the Church. His impartiality made itself respected, and in the end succeeded, though those whom he would not follow into extreme courses complained of unfairness, and considered him an opportunist, as he was, if opportunism means making the best of every situation, and dealing with men and parties as they are, not expecting them to be as they are not. His reputation for practical wisdom gave him a high position in the House of Lords, where he spoke with authority and was always listened to, though as an orator he was inferior to Wilberforce and Magee. He spoke clearly and unhesitatingly, and never, even in his passing remarks, as in Convocation, without giving evidence of mature consideration of the subject under debate; he did not trust, as Wilberforce might, to the rhetorical inspiration of the moment. His life was clouded by great sorrows, and his activity was impeded by frequent attacks of disabling illness; but he never relaxed or complained, nor sank into acceptance of the conventional standard which had satisfied many of his predecessors.

There was much doubt as to who should be appointed to succeed Archbishop Tait. By age, station, character, and capacity, the Bishop of Winchester, Harold Browne, stood first among possible candidates. He was not anxious for the pro-

motion, but when it came near being offered, it was impossible, even for so good and humble-minded a man, not to feel that to be mentioned and rejected, though solely on the ground of age, was a harder trial than to be passed over. A more distinguished man in some respects, and of finer genius, but less known to the world, was Richard Church, Dean of St. Paul's, who might have been Archbishop if he had wished it. Church was one of those rare characters who being conscious of great powers have no wish to exercise them publicly. He preferred his hillside at Whatley to all the high preferment which was within his reach. He accepted with the greatest reluctance the call to St. Paul's, and resolutely declined further promotion; but in his place there he showed courage and capacity for business and for public life. Whatever office he had held, it would never have been said of Church, *nisi imperasset.* He welcomed the translation of Bishop Benson of Truro; 'everything that he has touched he has done well.' Temple, who had been thirteen years at Exeter, and had shown there the great qualities which made his London episcopate noteworthy, must have been considered. His rugged strength had been potent in a remote diocese; it was not certain that he was fitted, as he proved to be three years later, for a great position in the centre of affairs. But the united tribute which was paid to him when he was translated to London in 1885 is evidence of his power to reach the hearts of every class. Lightfoot of Durham also came, no doubt, under review; but it may have been thought that he was pointed out for York at the next vacancy; and his promotion to Durham bore date so recently as 1879. It is known that Tait on his deathbed spoke of Harold Browne and Benson as if the choice lay between them; indeed he had taken Benson into close relations with himself. It was believed also that the Queen inclined to Benson, of whom Prince Albert had had a high opinion; and when the Bishop of Winchester seemed to be out of the question, Gladstone had probably no hesitation in offering him Canterbury. His appointment was unexpected, as he was aged only fifty-three, and one of the youngest Bishops on the bench; but it was welcomed by the clergy and the country generally.

The succession to Canterbury, 1882.

Edward White Benson (1829-1896) was a man of very

different character and temperament from his predecessor; genial, sanguine, emotional, dramatic though not theatrical, a man, as his son describes him, of deep devotion and eager character; 'an intensely vivid nature, touching life at many points—through antiquity, history, art, religion, literature, and tradition, and throwing itself with equal ardour into all.' As a boy at Birmingham under Prince Lee, and at Cambridge, he carried off honours easily, the crowning distinctions being the senior Chancellor's Medal and a Fellowship at Trinity. He served at Rugby under Goulburn and Temple; and at Wellington College, to which he was appointed as Master on its foundation in 1857, his personal power created a great public school in spite of all drawbacks. He gained here the reputation of being a severe disciplinarian and an exacting but animating teacher. He put life into everything. He loved effectiveness, harmony, order, drill: had all his business in perfect arrangement, was never hurried though always working at high speed, possessed, in short, the qualities of a good administrator and organiser. In 1872 he was installed at Lincoln as Chancellor of the Minster, and his scholastic life came to an end. In this position he had leisure to study cathedral lore, and his antiquarian bent had full scope. He displayed here in a different medium the same organising power as at Wellington College, and became acquainted with the management of a diocese and a cathedral, though he never came into immediate contact with parochial life.

Benson. Early life.

The offer of the See of Truro (December 1876), after he had declined that of Calcutta, was to a certain extent a disappointment. But he threw himself cordially into the work of the newly constituted diocese. He created the diocese of Truro, as he created Wellington College. He won the admiration and respect of both Church people and Nonconformists. He made the Cathedral a centre for spiritual and educational work throughout the county, and his own energy and vitality stimulated and warmed all who came into relation with him. If as Archbishop he did not completely fulfil the hopes with which he came to the Primacy, it was because he had not lived in the centres of action, had little touch with politics and little knowledge either of the political or the social world, or of

As Archbishop, 1883-1896.

the problems of London; and to some degree because he was supposed, though unjustly, to favour the High Church party. He was never thoroughly successful in the House of Lords. Though he had many of the qualities of an orator, he was too subtle and elaborate for the House. It was not his fault that measures initiated by him, such as the Cathedral Commission Bill and the Ecclesiastical Courts Bill, whether they took their beginning in the Lords or the Commons, did not always come into effect in consequence of pressure of public business and divided opinion. Three successive Patronage Bills, worked out with much thought and consultation, bore fruit after his death in the Benefices Act of 1898. His Clergy Discipline Bill, after a long and patient struggle, became law in 1892. He spent much time upon the question of education, and with good result to the voluntary Church schools. He contended successfully for the Established Church in Wales, and headed the opposition to schemes for English disestablishment, which took form in the Committee for Church Defence and Instruction.

Benson was keenly alive to the growing importance of the claims put forward by Colonial churches. He was not disposed to take the humble place assigned to the Archbishop of Canterbury by Bishop Gray, but 'magnified his office' in all matters where the rights of the primatial see came into question. He had the disadvantage of coming after so great a prelate as Tait, whose knowledge of public men and affairs of State put him on a level with the first men of his time; and he had not, it may be, that power of taking a comprehensive grasp of a whole subject, and weighing its present and personal difficulties against its capabilities of development, which is one of the last and rarest achievements of a statesman. There was a vein of sentiment in him, it might almost be called sentimentality, which caused misunderstanding, since in his public utterances he would use language too intimate or too fanciful, and the verbal subtleties and far-fetched and rhetorical allusions in which he delighted did not suit the public ear. But by consent of all he filled his place worthily. His geniality, his fine presence and manner, which lent dignity to all public functions, his dispatch of business and untiring industry, his

A notable primate.

unselfishness and impartiality, made him if not a great, yet a notable primate.

Ecclesiastical Courts Commission, 1881.

On March 7, 1881, the Archbishop of Canterbury (Tait) moved in Parliament for the appointment of a Royal Commission to inquire into the condition of the ecclesiastical courts. The Commission, which was appointed the same year, was a fully representative body, containing statesmen and men of affairs, besides specialists, legal, ecclesiastical, historical, and antiquarian, belonging to every school of thought which has its home in the Church of England. The Commissioners issued their report on July 13, 1883; and that part of it which dealt with the history of ecclesiastical courts from the earliest times, the work of Canon Stubbs, Regius Professor of Modern History at Oxford, and afterwards Bishop of Oxford, is a document of permanent historical value.

Recommendations. Spiritual courts.

The aim of the Commissioners, as set forth by themselves, was not the creation of a new system of ecclesiastical jurisprudence, but the reconstruction and improvement of an ancient system on familiar and well-understood foundations. They wished that the existing spiritual courts of the diocese and the province should be strengthened and improved so as to suffice for the ordinary business which would come before them, and that the appeal to the Crown in Council should be resorted to as little as possible. They recommended that a distinction should be drawn between cases of misconduct or neglect of duty, and cases of heresy or ritual. In both classes the first hearing was to be in the diocesan court, after the complaint had been considered and allowed by the Bishop, with whom should rest the right to allow or forbid the proceedings to go forward. The Bishop was to sit in his own court; in cases of heresy and ritual he must sit in person, with a legal and a theological assessor. A similar distinction is observed in appeals from the diocesan to the provincial court; in cases of heresy or ritual the Archbishop may leave the case for his Official Principal to decide, or hear it in person, with or without theological assessors, duly qualified, appointed by himself, and not exceeding five in number. The Official Principal was to be

appointed by the Archbishop. If the two Archbishops agreed, one Official Principal might serve both provinces, as under the Public Worship Regulation Act of 1874.

For appeals to the Crown, which was a right of the subject, five judges, who must be Churchmen, were to be summoned in rotation as judges of final appeal. In matters of doctrine and worship the judges were to have the power of consulting the archbishops and bishops 'in exactly the same form as the House of Lords now consults the judges of the land.' In fact, it was proposed to restore or create a court much resembling the Court of Delegates, but more completely a lay court than that, since the new judges of appeal would not be bound to refer all questions of doctrine to the bishops. The decrees of the court were to be binding, but not the reasoning; each judge was to deliver his judgment separately; and when the cause was judged, it was to be remitted to the court below for execution. Imprisonment, which had caused much recent scandal under the Act of 1874, and an earlier Act of 1813 (53 George III. c. 127), which substituted imprisonment for excommunication, was no longer to be resorted to as a means of enforcement, but suspension, or deprivation. Lord Chancellor Selborne, however, said that the necessity for imprisonment could not be done away with in a case of extreme contumacy, such as refusing to give possession. The Commissioners advised the repeal of the Public Worship Regulation Act of 1874 and the Church Discipline Act of 1840, thus reconstituting the ancient courts of the Church.

Court of Final Appeal.

The Commissioners gave due consideration to resolutions of Convocation recently passed (1882), the chief of which was to this effect: 'that the ancient canonical courts should be preserved; that ecclesiastical judges should as far as possible be canonically qualified and commissioned; that in case of appeal to the Crown the judgment of the spiritualty, *i.e.* the Upper Houses of the two Convocations, should be required, and should be made public; that the execution of appeals should be remitted to the inferior court; that when the sentence was of a spiritual character it should be pronounced by the Archbishop or Bishop himself in open court.

Resolutions of Convocation, 1882.

The problem before the Commission was to find a court of ecclesiastical appeal which would satisfy the conscience of the clergy. Dr. Stubbs and other commissioners held the view that an organised system of belief, morals, and internal self-government is an integral part of primitive historical Christianity, and has been accepted and recognised by the nation, which has since the Conquest 'placed certain machinery of the national executive at the disposal of ecclesiastical judges, with due safeguards against abuse.' Three theories of Church and State may be maintained: (1) that of divine right, as held by Constantine, Lewis IX., and Henry VIII., now obsolete in England; (2) that of royal right delegated to or assumed by Parliament representing the laity of the Church, a theory out of date since Parliament ceased to consist of Churchmen only; (3) the system of concordats actual or virtual, under which the State covenants that the laity who support the established Church by tithe and other contributions shall in fact get what the Church undertakes to give them. Under this last theory, which is the only practical one at the present day, the definition of doctrine belongs to the spiritualty, since they as experts understand the language of religious formulas.

The rights of the Church.

The office of the judge in cases of ritual and heresy extends no further than to define the meaning of terms, and to decide whether the use of certain language or certain acts is so contrary to the formularies of the Church as to involve the civil penalties of deprivation and suspension. It follows from this, that the State cannot be kept out of the question, since lawyers are by their profession the fittest interpreters of language. Practically, the Judicial Committee, not being a spiritual court, passes spiritual judgments, and not being a legislature, makes laws in virtue of its decisions, which are gradually building up a consistent body of legal decision and settled interpretation of documents. This process of 'extension, modification, and improvement of law by judges' decisions,' in Sir Henry Maine's words, is well known in the law, and amounts to legislation. In the region of doctrine it amounts to the definition of doctrine, which belongs to the spiritualty. Some compromise is needed, as is agreeable to the character of a State Church which yet

Judge-made law.

claims to have an independent existence apart from its connexion with the State. But to transfer appeals to the Upper House of Convocation, as was desired by the clergy who gave evidence before the Commission, and by Convocation itself, would be to subject the State to the Church and turn it into a Church State. The Church would have all the advantages without the restraints of establishment. The contract is bilateral, and cannot be handed over entirely to either party. If irreconcilable difference exists, the Church as the weaker party must submit to martyrdom; but whilst the lay judges would be competent to settle legal questions, the allowed reference to divines in matters of doctrine would satisfy the conscience of the clergy. Ultimately the decision must rest either with the temporal or with the spiritual power. The court of appeal proposed by the Commissioners would have been as much a lay court as the Judicial Committee.

Dean Church, who was not a Commissioner, gave evidence before the Commission, in which he stated his wish that the progress of case-made law should be arrested, lest the Church should be absorbed by legislation into a department of the State; that the Church should have restored to her the power of dealing with her own proper spiritual affairs, such as doctrine and worship, 'subject to the cognisance and check of the State.' He wished that the spirit of persecution should be discountenaced, and reminded the Commissioners that 'behind all these questions is the Roman controversy.'

Dean Church's view.

The report was fully considered by Convocation; and a Committee appointed for the purpose made a draft scheme for a court of appeal, to consist of five lay judges, four bishops, and an archbishop, who should sit together, confer and draw up a joint report and judgment. In case of disagreement the appeal should be dismissed. By this scheme, they say, the supremacy of the Crown is maintained, the voice of the Church through the bishops is heard, no binding interpretation of ecclesiastical law can be made without the concurrence of both divisions of the Commission; when both agree, that judgment is valid and permanent. It was observed that Stubbs' Historical Appendices to the report seemed to justify the rejection of Lord Penzance and the

No legislation follows.

Judicial Committee as making for the right of the Church to preserve its own jurisdiction; especially since Lord Penzance himself withheld his signature from the report. In 1884 Archbishop Benson prepared the draft of a bill to carry into effect some of the recommendations of the Commission. But the bishops were divided in opinion, and no bill was introduced. It may be surmised that the Reformation settlement was the dividing line. The ritualist party had committed itself to continuity with the mediæval Church in doctrine and worship; to the Archbishop himself, to moderate Churchmen, and to the great majority of laymen, the Reformation was 'a ripe and long-prepared and matured movement in an era of illumination.'

Though the report of the Commissioners furnishes abundant material for legislation, and though nearly thirty years have passed since it was issued, the ecclesiastical courts have not been reformed. The Ornaments Rubric blocks the way. Litigation has ceased, and clergymen break with impunity what they call State-made law, and their position becomes stronger every year. Such legislation as is required can only be made by consent, and on the initiation of the bishops, who occupy a middle position—since the clergy will not accept Parliament law, and have been successful in resistance, and Parliament will not accept Convocation law. But until clergy, bishops and lawyers agree upon the main question, whether the court of appeal is to be composed of laymen only or a mixed court of laymen and clerks, or in what other manner the 'voice of the Church' is to be heard, it is vain to hope for any solution of the problem.

Clergy Discipline Act, 1892.

Though it was not passed till 1892, the history of the Clergy Discipline Act belongs to an earlier period. Archbishop Benson was determined to do what he could with respect to one portion of the difficult problem of Church discipline, that of morals. Doctrine and worship, reform of Convocation and of the ecclesiastical courts were difficult subjects to touch; but it was reasonable to expect that a proposal to abate scandals, few in number but serious in effect, 'intolerable, notorious, and irremediable,' would be passed without difficulty; and it was

disappointing to Churchmen, and to the Archbishop above all, to find the Clergy Discipline Bill which he had introduced in 1886 postponed year after year by a Government which was pledged to 'stand by the Church'; a bill supported by all sections of Churchmen and favoured by Gladstone, and against which there was no organised opposition. The chief object of the bill was to make it possible to strike at 'criminous clerks' without injuring the complainant; for in obtaining a conviction in such a case costs might be incurred amounting to many thousands of pounds. In the face of much opposition from 'Welsh obstructionists,' and parliamentary delays for which no one would acknowledge responsibility, the bill passed the Commons by a majority of 213 in April 1892, and the Commons' amendments were accepted by the Lords in June. The Act (Clergy Discipline Act, 55 and 56 Vict. c. 32) was for the most part directed to make the legal process in cases of immorality easy, simple, and inexpensive. The method of trial under the Act is by the bishop with a board of twelve assessors, chosen partly by the clergy of the diocese and partly by the court of Quarter Sessions. The penalties are vacation of benefice, incapacity for holding preferment, and deposition from holy orders at the pleasure of the bishop. An appeal is allowed to the Queen in Council or the provincial court. The history of the bill is a comment on the difficulty of getting any Church legislation carried through Parliament; showing as it does that indifference is no less fatal to legislative action than hostility.

Abp. Benson and the Eastern Churches.

Archbishop Benson was much attracted by the Eastern Churches, and took great trouble in opening relations with them. His imagination was interested in the questions of Church history, architecture, and ritual connected with the position of these churches. He even entered into correspondence with the Metropolitan of Kiev in 1888 concerning the possibility of the reunion or inter-communion of their two churches. The differences between the churches were not to be removed by a courteous correspondence, but good feeling was promoted.

Since Newman's protest in 1841, the High Church party

had disliked that connexion with German Protestantism which the Jerusalem bishopric was originally intended to further; and their leaders, especially Dr. Liddon, wished for union with the Oriental churches, and abhorred German Protestantism. On Bishop Barclay's death in 1881 the German Government retired from the Anglo-Prussian compact referring to the See of Jerusalem; and the Archbishop published a memorial in February 1887 stating that it was thought well to appoint an Anglican bishop having his headquarters at Jerusalem, for the purpose of giving episcopal oversight to English congregations in Syria, Egypt, and other countries, and of cultivating a closer relation with the orthodox churches of the East. To introduce Protestant theology to the members of these churches was no part of the original design; nor ought the Bishop to take a territorial title as Bishop of Jerusalem. In conclusion, the memorial stated that the C.M.S. and the London Society for Promoting Christianity among the Jews had guaranteed £300 a year each towards the Bishop's income. Archdeacon Popham Blyth was accordingly appointed 'Bishop of the Church of England in Jerusalem,' and was commended to the Patriarchs of Constantinople, Jerusalem, and Antioch. Though the High Church party, headed by Dean Church, issued a protest against associating the C.M.S. with the reconstituted see, and on the other hand, the C.M.S. found the Archbishop's attitude towards the Patriarchs too deferential, and objected to the restriction of their action in regard to the Eastern churches, the Archbishop's action has effected, as it was intended to effect, a working compromise.

Jerusalem bishopric, 1886.

Another opportunity made use of by Archbishop Benson was found in the sufferings of the so-called Assyrian or Nestorian Church in Eastern Syria; 'a Church humbled, oppressed, almost despairing,' in the midst of Turkish misrule and domestic disagreement. The Archbishop sent out two clergymen, W. H. Browne and A. J. Maclean, now Bishop of Moray, under the conduct of Mr. Athelstan Riley, with instructions to open schools and a clerical seminary. Special messengers were also sent with letters to the Patriarchs of Antioch and Constantinople. The Archbishop made the Assyrian mission his own work, and was

Assyrian mission.

never tired of attending to its smallest details. Such missions as these are exotic, and cannot be expected to effect great changes, but they promote friendly feeling, and they may help to revive a decaying church. As the Archbishop foresaw, 'Only Orientals can evangelise Orientals.'

Between 1875 and 1885 a knot of friends engaged in a 'happy companionship' of university work at the Pusey House, Oxford, felt themselves 'compelled, for their own sake, no less than that of others, to attempt to put the Catholic faith into its right relation to modern, intellectual, and moral problems,' and as the result of many discussions and meetings brought out in November 1889 a volume of Essays to which they gave the name of *Lux Mundi, a Series of Studies in the Religion of the Incarnation.* In the preface, written by the editor, the Rev. Charles Gore, now Bishop of Birmingham, it was boldly stated that 'theology must take a new development, and that . . . the real development of theology is . . . the process in which the Church, standing firm in her old truths, enters into the apprehension of the new social and intellectual movements of each age . . . and is able to assimilate all new material, to welcome and give its place to all new knowledge, to throw herself into the sanctification of each new social order.'

Lux Mundi.

The writers did not, like the contributors to *Essays and Reviews*, disclaim a common responsibility. On the contrary, the volume was to be 'the expression of a common mind and a common hope.' They were the spokesmen of a new school in English theology; upholders of catholic tradition and the sacramental system, yet willing to put in the place of a literal acceptance of scriptural history and prophecy an interpretation of it as 'tradition used as a vehicle for spiritual teaching,' 'representative narrative,' or 'tradition cast into a dramatic form.' The strength of the old creeds is that they oppose to inquiry an insurmountable barrier of dogma; and the weakness of all attempts to combine dogma with inquiry is that no such synthesis can claim finality. When we once begin even to speculate whether the finding of the Book of the Law by the High Priest Hilkiah was or was not a historical fact, or the

Scope of the book.

account of it a 'dramatic incorporation' of an existing tradition, or an 'unconscious idealising of history,' we have ceased to believe the plain truth of the story as it is told in the book of Ezra. The appeal to the 'verifying faculty' which inspired *Essays and Reviews* and Colenso's works was here too in conflict with the principle of authority; and it was a true instinct which made Liddon part company from Gore when *Lux Mundi* was published.

Contents of the book.

The subjects treated in *Lux Mundi* are, briefly stated, the moral character of faith; the doctrine of divine immanence as an explanation of trinitarian doctrine opposed to tritheism, deism, and pantheism; the probation of human beings through pain; the moral, spiritual, and historical meaning of prophecy; the Incarnation viewed in the light of theories of development; the Incarnation in relation to Christian dogma; the Atonement in relation to sin and sacrifice; the inspiration of the Old and New Testament; the Church as the centre of spiritual life, teacher of truth, and home of worship; Sacraments as foreshadowed in the Incarnation itself, in the Jewish Church, and in our Lord's ministry on earth, corresponding to and sanctifying the twofold nature of man; Christianity consecrating and purifying society; Christian ethics, or the kingdom of God in human society.

Essay VIII.

The Essay which provoked most opposition was No. VIII., 'The Holy Spirit and Inspiration,' the position in which is, generally speaking, this: the Christian must be guided by Church authority, interpreted by the writings of the primitive Church: the Holy Spirit is still in and with the Church: critical problems are not to be dissociated from the continuous teaching of the Church, but the letter is, in all cases, subordinate to the spirit. Thus far, Liddon and his school could agree; but they were scandalised by such utterances as these: 'Christianity brings with it, indeed, a doctrine of the inspiration of Holy Scripture, but is not based upon it.' 'Every race has its inspiration and its prophets.' 'The Church is not tied by any existing definitions.' 'Our Lord Himself never exhibits the omniscience of bare Godhead in the realm of natural knowledge, such as would be required to anticipate the results of modern science or criticism.'

It would appear from these citations that the author considers the inspiration of Scripture to be different in degree indeed, but not in kind, from what is commonly called the 'inspiration' of genius. Such teaching controverts the consistent, continuous, and universal tradition of the Church, whether or not that tradition is sanctioned by definitions; and it would have been neither reasonable nor right that it should pass without challenge. The publication of *Lux Mundi* was all the more significant, in that the writers belonged to the High Church school, and to that section of it which had its headquarters at Cuddesdon and the Pusey House at Oxford, and that four at least out of twelve of them were men of mark, pointed out for episcopal or other church preferment.

The challenge was taken up by Liddon, who in writing to the editor on October 29, 1889, defined the principle of criticism, as understood by Pusey and himself, as the principle of 'bringing all that learning and thought could bring to illustrate the mind of Christian antiquity'; and contrasted with this 'that kind of discussion of doctrines and documents which treats the individual reason as an absolutely competent and final judge,' and the assumption of preliminary principles, such as that of the *mythos*, as an ingredient of Scripture, and the explanation of our Lord's references to the Old Testament as *ad hominem* arguments. Liddon was not mistaken when he saw in *Lux Mundi* an important, and, in his view, a dangerous step forward.

Liddon's opinion.

Lux Mundi was attacked in Convocation by Archdeacon Denison, on May 6, 1890. He complained of the writers as saying in effect that there is need of a new aspect of Scripture, not, 'so to speak, theological, but anthropological'; the principle of adjusting Holy Scripture to the assumptions and conclusions of the new criticism once admitted, opens the door to perpetual recurrence in successive generations; the principle being that the genuineness and authenticity of the canonical books of the Old Testament have yet to be ascertained by the 'natural knowledge' of man. He went on to say that the question thus raised is a question of the divine authority of

Denison's attack in Convocation, 1890.

Holy Scripture; a question of appeal from revelation to 'natural reason,' in short, an appeal from Christ to 'the wisdom of this world'; 'the difference between Christ infallible and Christ fallible.'

Modernism.

Nearly thirty years before, *Essays and Reviews* and the writings of Colenso had been scouted by the clergy of all opinions; now, many of the clergy accepted them in principle, if not in detail. The intervening period was one of high significance in the history of religious thought, within and without the limits of the Church of England. A new method of religious criticism had been discovered, part of the armoury of what is now termed Modernism, which independent students were employing, with enough divergence to give a handle to the attacks of those who held to the established theology, but enough agreement to make a foundation for a scientific treatment of historical and religious problems on a large scale. Science does not return upon her tracks; and it was impossible in 1889 to engage in biblical study and remain content with the arguments which had satisfied the defenders of 1860, and satisfied Liddon still.

Case of the Bishop of Lincoln, 1888-1892.

The case of the Bishop of Lincoln in 1888-1892, having been conducted by an ecclesiastical court, the judgment of which was confirmed by the Judicial Committee, may be considered as affording a final decision of some points. In 1888, the Church Association, finding that its funds were diminishing, and that the exercise of the episcopal veto hindered its action, determined to strike at higher game, and try whether a diocesan bishop came within the limit of the veto. Edward King, Bishop of Lincoln, one of the most venerated prelates in England, was fixed upon as a representative of the ritualist party. After collecting evidence from persons attending services in which Bishop King had officiated, the Association, on June 22, presented to the Archbishop of Canterbury a petition requesting him to cite and try his suffragan for certain illegal acts alleged to have been done by him. The promoters in the suit were E. Read, William Brown, and two others.

The Archbishop's Court, to which the Church Association appealed, had sat only once since the Reformation, in 1699,

in the case of Lucy *v.* Watson, Bishop of St. David's. This trial, which resulted in the deprivation of Bishop Watson for simony, went to establish the validity of the court, but in other respects provided no precedent for the present instance. It was represented to the Archbishop that he might disclaim jurisdiction, in which case he might have been compelled to exercise it by *mandamus* from the Queen's Bench. If he vetoed the case, that would be to assume jurisdiction, and his jurisdiction might be denied on appeal. The Archbishop, who was to a great extent his own counsellor, did not wish to be forced after all to exercise a jurisdiction which he had disclaimed. Neither the personal issue involved, nor the scandal which might be caused if Bishop King were censured, was allowed to interfere with an impartial endeavour to act with strict legality and with regard to the dignity of the archiepiscopal See. It is not impossible that Archbishop Benson, though disliking the occasion, was not sorry for the opportunity of establishing an archiepiscopal court free from legal interference, and of acting as judge in person, not by a legal deputy. The archæological aspect of the case had also, no doubt, an attraction for him, and he may have been not unwilling to mark, to use his own expression, the difference between liberty and licence in ritual. Another reason for proceeding was put forward by Dr. Westcott, viz. that the High Church party, who conceived themselves debarred in conscience from pleading before the Queen in Council, had here an opportunity of explaining their case for the eucharistic vestments to a spiritual judge whom they could not but respect.

Jurisdiction of the Archbishop's Court.

It was decided by the Archbishop, acting with the advice of Lord Selborne, Dr. Westcott, and the present Archbishop of Canterbury, then Dean of Windsor, neither to assume nor to decline jurisdiction, but not to issue the citation asked for, and thus to throw upon the prosecutor the *onus* of establishing the jurisdiction which he was asked to exercise. The petitioners appealed to the Queen in Council, and the Judicial Committee, represented on this occasion by Lord Chancellor Halsbury, Lords Hobhouse, Herschell, and Macnaghten, and Sir Barnes Peacock, with five bishops as assessors (3 August 1888),

Jurisdiction confirmed by the Privy Council.

unanimously affirmed the Archbishop's jurisdiction, laying down that he ought to exercise it in person, not by his Vicar-General, but giving no opinion as to whether he was bound to exercise it; and they advised the Crown to remit the case to the Archbishop to be dealt with according to law.

The Archbishop's citation having been issued on January 4, 1889, the Bishop of Lincoln appeared as respondent (12 February) under protest, and put in a statement claiming for himself, and for all members of the English Episcopate, the primitive right of trial before the Metropolitan in his provincial synod, with the advice and consent of the bishops of the province.

Bishop King's protest, 1889.

The Archbishop gave judgment on May 11, as to the validity of his own jurisdiction, to the following effect: The canons of the first four general councils of the Church are still part of the law of England as regards faith and doctrine, and in other matters so far as applicable and when not contrarient to the law of the Church and realm. The Court could not 'satisfy itself . . . that the authority of early Church councils establishes that the trial of a bishop ought to rest with a synod of bishops only; that the authority of the first four councils is doctrinal not disciplinary, and not binding as a scheme of judicature on the Church at large or the Church of ages.' The Archbishop passed somewhat lightly over certain mediæval precedents, not denying the judicial authority of a comprovincial synod, but disputing its exclusive authority. He noted that in the case of Lucy *v.* Bishop of St. David's the validity of the archiepiscopal jurisdiction was distinctly affirmed, and was confirmed by the courts of law; 'by the Delegates twice, in the King's Bench twice, in the Court of Exchequer twice, by the Exchequer Chamber and by the House of Lords twice.' Finally, he declared the competence of the court, from a consideration of the antiquity and universality of archiepiscopal jurisdiction in the case of suffragans, of the fact that in the Church of England it had been 'from time to time continuously exercised in various forms,' and that whatever might be the powers of the bishops in Convocation, the Metropolitan had regularly exercised this jurisdiction, both alone and with assessors.

The Archbishop declares the authority of the court.

The court thus, by a different line of inquiry, arrived at the same conclusion which was arrived at on purely legal principles by the Judicial Committee of the Privy Council in the preceding August.

Archbishop Benson was an antiquary and liturgiologist, and was doubtless attracted by the view of the court as 'the most ancient court of inherent jurisdiction existing in England, probably,' certainly anterior to the papal jurisdiction in England, a jurisdiction so ancient and venerable that it was respected by the Popes, who employed the fiction of *legatus natus* to invest with papal authority the person who already claimed and exercised it; and so authoritative, that the lawyers were divided in opinion whether there was any appeal at all from its decisions. He gave several reasons against a trial before the comprovincial bishops; the dominating consideration in his own mind probably was, that the bench of bishops as a whole had so strong a bias in favour of the respondent that it would be difficult for the cause to be tried fairly, whether the bishops sat as judges or as assessors. To ensure a representative council it was necessary to select; and the judgment of the Judicial Committee not only affirmed the jurisdiction of the Archbishop sitting as sole judge, but left him free to choose his assessors. He was anxious that the Bishop of Lincoln and his friends should not appeal to a temporal court; and he believed that his decision as a spiritual judge would be obeyed by the clergy. He also thought that a judgment introducing many new facts and 'historical and theological lights and side lights,' would be respected by the Privy Council, who 'would not hold blindly to former judgments,' a forecast which proved to be well-founded.

Antiquity and validity of the court.

The hearing of the case on its merits began on July 23, 1889. The assessors were the Bishops of London (Temple), Oxford (Stubbs), Rochester (Thorold), Salisbury (Wordsworth), and Hereford (Atlay). After all preliminaries were disposed of, including the question whether the word 'Minister' in the Act of Uniformity included a bishop, the case came on for trial on February 4, 1890. The charges brought against the Bishop (omitting trivial matters) were seven in number, viz.: (1) mixing

Hearing in the Archbishop's Court, 1889, 1890.

water with the wine during the Communion service, and consecrating the mixed cup; (2) the eastward position; (3) standing during the Prayer of Consecration on the west side of the altar, and so hindering the congregation from seeing the manual acts; (4) causing the hymn 'Agnus Dei' to be sung during the service; (5) ablution of the vessels after the service in the presence of the congregation; (6) the use of lighted candles on the table or retable during the service, when they were not needed for giving light; (7) the sign of the Cross in absolution and benediction. The Bishop admitted the truth of all the charges, but denied that any of the acts committed by him were illegal.

The hearing of the case came to an end on February 25, 1890, and the Archbishop reserved his judgment. He had before him 'an immense labour.' He was an amateur doing the work of an expert, so far as legal matters were concerned: on points of ecclesiology and church history, general and Anglican, he was not only as good a judge as most of those who were responsible for Privy Council judgments, but as competent as any one in England to give an opinion. He had studied liturgiology from his early boyhood; it was his hobby; and he had had opportunities of returning to his favourite study, whether in interpreting ancient institutions as at Lincoln, or founding new institutions as at Truro. His love of detail, power of combination, and strong memory enabled him to grasp the complexity of a subject for the comprehension of which it was necessary to cover a large period of history, to observe small indications of changes in language, opinion, and custom, on which important inferences might be founded, and to possess, besides clear-headedness and command of principles, that refined and practised 'illative sense' which it is the pride of Cambridge scholarship to train. He had, moreover, the art of setting forth a subject in a style so clear that any layman hearing the judgment delivered could follow every argument, with so much impartiality that it convinced, so much learning and legal ability that lawyers could find hardly a flaw in it, and so much dignity and sincerity that it disarmed the wish to criticise.

Archbishop Benson's qualifications as judge.

The Archbishop gave judgment on November 21, 1890.

With respect to the mixing of water with the sacramental wine, the court held that whereas in the Prayer Book of 1549 the adding of a little water to the wine is prescribed as a ceremony in the service, this direction was omitted in the Prayer Book of 1552, and omission must be taken as equivalent to prohibition. But the administration of a mixed cup is a primitive, continuous, and all but universal practice in the Church, and it does not necessarily follow on the prohibition of mixing as part of the service that the cup already mixed may not be administered. The symbolical meaning attached to the mixture does not appear to be primitive; it was not strongly objected to by the Reformers; but the existence of innocent and devout interpretations should not be held to overthrow in a court the legality of a primitive custom in the Church. Moreover, there is evidence from ancient Greek liturgies to show that in primitive times the mixing took place not at the altar but at the credence. The chalice when set on the altar already contained the *mixtura*. These liturgies were well known to Cranmer, and it is certain that he studied them when framing the offices of the Church of England. There are traces of a similar usage in the Western church, also known to Cranmer. The use of the word 'wine' proves nothing; the consecrated element is called in ancient liturgies indifferently *vinum*, *mixtum*, and *mixtura*. 'There is thus nothing in the words of the service or rubric which precludes mixing'; and to do this before the service cannot be considered an addition to or a variation of the service. The court therefore concluded—(1) that the ceremonial mixing of water with the wine was removed in 1552 from the place it had held in the public service of the Church; but (2) that the use of a cup mixed beforehand is not forbidden. The ceremonial ablution of the vessels after the benediction and when some of the communicants had left the church, is no part of the service, and therefore neither a ceremony nor illegal.

The judgment. Mixed chalice and ablution.

The ruling of the court on the eastward position was set forth in an elaborate survey of the question, and was to some extent a criticism on former decisions of the Judicial Committee; for the Archbishop took the course, bold, novel,

and unexpected, of revising Privy Council judgments, though 'with the utmost carefulness and respect,' on the ground that some points raised in the suit were new, and all raised under different conditions, and that much light had been thrown by research upon historical points admittedly obscure. On appeal, as we shall see, his ruling was accepted by the Judicial Committee itself. The principal fact, and one which bore upon the whole subject, was that whereas the First Prayer Book of Edward VI., which came into use on Whitsunday, 1549, ordered that the priest should begin the Communion service 'standing humbly afore the middes of the altar,' in the following year (1550) not only were altars taken down 'in divers places' and tables substituted for them, but the King and Council sent orders in November to all bishops to cause 'all the altars to be taken down, and instead of them a table to be set up in some convenient part of the chancel.'

Eastward position.

A question at once arose whether the table should be set 'altar-wise,' *i.e.* with the shorter sides or ends north and south, or 'table-wise,' *i.e.* with the shorter sides east and west—'length-wise' or 'cross-wise.' 'Altars' had always stood at right angles to a line drawn through the church from east to west; 'tables' coincided with this line, and the officiating minister would naturally take a position corresponding to that of the priest at the altar, viz. at the middle of the table, with his face to the south. Edward VI.'s Second Prayer Book, of 1552, ordered that the table should 'stand in the body of the church or in the chancel,' and that the priest should begin the office 'standing at the north side of the table.' The altars were restored under Mary, and in most cases taken down again by Elizabeth. In cathedrals and college chapels the table usually stood at the east end altar-wise, but was removed to the chancel or body of the church at Communion time. In parish churches the tables were commonly set east and west, table-wise. But under James I. and Charles I. the inconvenient habit of shifting the table from time to time had ceased to be universal, and some Ordinaries gave instructions that the tables should be set altar-wise; and henceforward till the Rebellion the 'altar-wise' usage was made the rule by all Ordinaries.

Thus the first rubric (of 1549) referred to an altar set altar-wise; the second rubric (of 1552) referred to a table set table-wise; and when the table was set altar-wise by order in Council (in 1633), the rubric of 1552 could not be obeyed in its original sense. The Puritans took this view, and said that the north end was not the 'north side,' and that a minister standing at the north end did not and could not obey the rubric, 'when neither side of the table standeth northward.' Bishop Williams is quoted as giving order in 1627, 'this table is not to stand altar-wise and you at the north end thereof, but table-wise, and you must officiate at the north side of the same, by the liturgy.' It appears then that when the tables were put back to the place of the altar, against the east wall of the church, the clergy adopted the north-end position as the nearest approach possible to compliance with the letter of the rubric. The practice, however, was not uniform; some High Churchmen, such as Wren and Cosin, consecrated at the west side, perhaps at the north part of it. At the Savoy Conference in 1660, the Presbyterian divines desired that the minister should always turn to the people; the bishops said that 'when he speaks for them to God it is fit that they should all' (both minister and people) 'turn another way, as the ancient church ever did,' *i.e.* towards the east. No change in the rubric was made at this time, except the addition of the rubric preceding the prayer of consecration, which contains the words 'standing before the table.' Whatever the reason, the north end became the generally used position, and is beyond question 'a true liturgical use in the Church of England,' formed, as primitive uses were formed, not by enactment, but, as the word itself implies, by use. There is no sacrificial significance in the eastward position, and the question is devoid of doctrinal interest.

The conclusion of the court was that the meaning of the expression 'north side' (not 'north end') was clear at the time the rubric was framed, and as applied to a table placed east and west; but that when tables were generally moved back to the east end and placed altar-wise, it became impossible to obey the rubric in its original sense. The court was of opinion that a certain liberty existed; and that it was not the business of the

Eastward position allowed.

court to curtail such existing liberty. There was no evidence to show that the north-end position is the only possible interpretation of the rubric. The charge therefore was dismissed.

The manual acts.

As to the meaning of the words 'before the people,' which the Bishop's counsel interpreted as equivalent to *coram populo*, *i.e.* during the prayer of consecration, then and there, not in the vestry or later, the court concluded that the rubric meant to insist upon the 'manual acts' being seen by the congregation. It was not enough that the celebrant should have no wish to hide the acts, but the manual acts must be performed in such wise as to be visible to the communicants properly placed.

Singing of 'Agnus Dei.'

The singing of the anthem, 'O Lamb of God,' is allowed on the ground (1) that the singing of a hymn at this part of the service is nowhere forbidden; (2) that it cannot be taken as having doctrinal significance; (3) that if the 'Agnus' had been left in its place after the consecration it would have been sung three times in the service, viz. in the end of the Litany, in the Gloria, and after the consecration.

Altar lights.

Concerning altar lights, a long and thorough investigation of contemporary statements and pictorial representations showed that in 1547 Edward VI. by his Injunctions ordered the removal of superstitious lights in churches, but retained two altar lights, signifying 'that Christ is the very true light of the world.' Neither Edward VI.'s Act of Uniformity of 1549 nor Elizabeth's Act of Uniformity of 1559 rendered these illegal, if they were not so before. They were objected to in the Queen's own chapel and in Bishop Andrewes's private chapel as being superstitious or superfluous, but not as being illegal; and many pictorial representations from 1680 to 1750 show candles on the altar, both lighted and unlighted; their complete disuse is probably connected with a general indifference to ritual. Their use from Edward VI. till recently was chiefly attached to places or occasions of dignity; it has no connexion with erroneous doctrine. The court did not find sufficient warrant for declaring that the law is broken by the presence of two lighted candles standing on the Holy Table continuously during the service,

Sign of the Cross.

provided they are not lighted ceremonially. The sign of the Cross in the final benediction was pronounced to be illegal.

Generally speaking, the judgment was favourable to the Bishop of Lincoln and the Ritualists. The questions of vestments, wafer-bread, and incense were not raised; the eastward position and the use of lighted candles were allowed, and the mixed chalice not forbidden. Moderate Churchmen accepted it with 'an unfeigned relief.' The judge had, by close attention to the business before him, dissociated doctrine and ritual, so that extremists of both sorts might join in a common and lawful ritual, and interpret it each according to his own belief; nor were the concluding sentences without their effect, in which the Archbishop taking the attitude of a statesman and spiritual father as well as a judge, made an appeal to 'charity and good sense,' and spoke of the way in which it was right that such pronouncements should be accepted by the clergy and laity, and the duty of considering expediency as well as lawfulness, according to the apostolic rule, binding on all parties in the Church. Lawyers and laymen alike were surprised to find not only that the judgment was a much better piece of work than they had expected, but that it had a claim to take a high place among the ecclesiastical judgments of the day. The Archbishop was praised for learning, grasp of his subject, and lucid exposition; the judgment was pronounced by the E.C.U. to be 'altogether admirable in tone and temper'; the *Spectator* spoke of it as 'hard to quarrel with by any fair-minded member of the Anglican communion,' described its author as 'a great ecclesiastical judge, great not only in ecclesiastical learning but in impartiality,' and summed up the issue as 'ritual peace, based on the recognition of ritual divergence'; noting also the ecclesiastical character of the judgment as contrasted with the civil decisions of the Judicial Committee. The *Times* observed with approval the establishment of the Archbishop's authority as *ordinarius*, *admonitor*, *corrector*, *et judex* over all his suffragans in all cases, by canon law and by English law.

Character of the judgment.

Bishop King did not appeal on the points decided against

him, but wrote a letter to the clergy of his diocese accepting the judgment and advising obedience (12 December 1890). The Church Association appealed to the Queen in Council. Judgment was delivered on August 2, 1892, by Lord Chancellor Halsbury. The court affirmed the Archbishop's judgment on all points but one, and dismissed the appeal. The point left undecided was that of lighted candles, which was held not to come within the scope of the inquiry, since the incumbent was responsible for lighting them in this particular case, not the Bishop. By this transfer of responsibility, said the Archbishop, 'they have left a loop-hole of trouble to come.' But he noted that three things which they laid down were more important than the verdicts themselves, viz. that history is admissible in the interpretation of the language and substance of rubrics; that the Privy Council's judgments may be reversed; and that he was right in not issuing a monition, which is in fact a penalty, when satisfied that his ruling would be obeyed.

Bishop King submits, 1890.

Judgment of the Judicial Committee, 1892.

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CHAPTER XVII

MISSIONS—PART I

India, Ceylon, Borneo, China, Corea, Japan, Africa, Madagascar

THE beginnings of Indian missions have been sketched in our first volume as far as the death of Bishop Middleton in 1822. His successor in the See of Calcutta, Reginald Heber (1783-1826), is one of those characters whom a halo of affectionate memory renders dear even to those who only hear of him long after his death. His poem *Palestine*, and his hymn *From Greenland's Icy Mountains*, have preserved his name; and the story of his active and blameless life is not forgotten. After a brilliant career at Oxford, where, in 1803, he won the prize poem which at once gave him the credit of a poet, he spent an active life among his parishioners and tenants at Hodnet in Shropshire, till he was called to the See of Calcutta on the death of Middleton. India 'had a romantic charm in his mind.' He had, as he wrote on receiving the offer, 'sometimes been tempted to wish himself Bishop of Calcutta.'

Heber, Bishop of Calcutta, 1822-1826.

Heber was only three years in India, but that space of time was long enough to show his indefatigable energy, his love for souls and devotion to his duty, his power both of command and conciliation, his affection and respect for the natives, of whom he said that if they became Christians, 'they would, I can well believe, put the best of European Christians to shame.' He was able to support his episcopal authority without yielding too much to the strong organisation of the Church Missionary Society,

Heber's work in India.

and to conciliate by his tact those who might have been troublesome opponents. Heber supported the Bible Society as well as the Church Societies; he gained the affection both of Europeans and natives. The laws which forbade the ordination of natives were abrogated by the efforts of Middleton; and Heber ordained the first native deacon in 1823. Missionary schools were set up at various stations, Calcutta, Benares, Allahabad, Delhi, Agra; schools for training teachers, and colleges for training native clergy. Heber and Middleton both knew that education is the evangelist's most powerful instrument.

Heber died suddenly on April 3, 1826, at Trichinopoly. His successors, James and Turner, died within a few years, and Daniel Wilson (1778-1858), Vicar of Islington, a contemporary of Heber at Oxford, became Bishop of Calcutta in 1832. Wilson held the family living of Islington from 1824 to 1832, and transferred thither from Clapham the headquarters of the evangelical party in London. He was simple-minded and artless in demeanour, 'a Dr. Primrose in lawn sleeves,' but at the same time a strong and sometimes overbearing ruler, one who spoke his mind freely and in some cases gave offence by so doing. He organised and extended the Church, began to build the Cathedral of Calcutta, and improved the Bishop's palace, in great measure from his own private fortune; built churches, visited Madras, Bombay, and Ceylon, and even Borneo. By the agency of Charles Grant, afterwards Lord Glenelg, President of the Board of Control in Lord Grey's ministry, and son of Charles Grant of Clapham, the sees of Madras and Bombay were established, and two C.M.S. chaplains were appointed to them, Daniel Corrie to Madras in 1835, and Thomas Carr to Bombay in 1837. The Krishnagar mission (1838) and the Telugu mission (1841) bore good fruit in these years.

Bishop Wilson, 1832-1838.

Not long before this, Lord William Bentinck, Governor-General, abolished *suttee* (1829), child-murder, and other abominable religious practices; secured rights of property to native converts to Christianity, admitted native Christians to employment in the public service, and took the first steps in introducing

Heathen practices and native converts.

English literature and science into education. He also instituted Christian schools for Hindu boys of good birth. Everywhere, though by slow degrees, the Christian religion was being taught and making progress, in spite of the indifference or opposition of the official class. Wilson took an uncompromising line about caste. 'The distinction of castes must be abandoned, decidedly, immediately, finally'; this was announced in all Indian churches, and caused the loss of many high caste converts. The Bishop held a conference with the natives at Tanjore without success (1833), but in some parts of Southern India he was obeyed. The close of Wilson's life was darkened by the shadow of the Mutiny; his last sermon, on 'Humiliation,' was preached six months before his death, in July 1857, when the fate of Cawnpore and Lucknow was uncertain; but he lived to see the Mutiny suppressed and the British power set up again.

In 1854 three Cambridge missionaries joined the settlement founded in 1850 by the S.P.G. at Delhi. Their efforts were directed in particular to the native youth attending the Government schools. They found on arriving at Delhi some twenty native Christians, conspicuous among whom were Ram Chandra, a mathematical teacher in the Government College, and Chimmum Lal, a medical man. Chimmum Lal was killed in the Mutiny for refusing to deny his faith; most of the others escaped; Jennings and Hubbard, and two catechists, were murdered, together with several members of the Baptist mission.

Delhi mission.

Opponents said that missions were the cause of the Mutiny, an accusation which could neither be proved nor disproved directly; but the result of the controversy was favourable to the Christian cause. Sir John Lawrence 'rejoiced to mark the progress of Christian missions belonging to all Protestant denominations.' As the British power grew supreme in India, the apologetic attitude which had been adopted by missionaries became unnecessary. Sir Charles Wood, President of the Board of Control in 1853, strongly supported the missions, and Lord Dalhousie said, 'I am of opinion that for these days we carry the principle of neutrality too far; that even in a political point of view we err in ignoring the agency of the ministers of our

Christian rule in India.

own true faith.' The C.M.S. in 1858 pressed these views for notice in a Memorial to the Queen, and attacked the principle of religious neutrality as being at variance with the duty of Christian rulers; and Bishop Tait gave it as his opinion that no mode of administering any one of our dependencies and no mode of carrying on the Government at home can be attended with success if it be not based on Christian principles. Sir Henry Maine, Bishop Wilberforce, and Sir Herbert Edwardes spoke in similar terms; and Sir John Lawrence also urged the claims of Christian teaching.

Lord Lawrence and missions in India.

The years which followed the Mutiny were a hopeful time for missions, for the friends of missionary enterprise were in high office; John (Lord) Lawrence was Governor-General (1863-1869); Montgomery and M'Leod in the Punjab, Frere at Bombay, Trevelyan at Madras, Muir in the North-West Provinces, and Temple, Durand, Napier, Norman, and others were promoters of missions. Lawrence, speaking at a meeting of Wesleyans in 1870, declared his belief that, notwithstanding all that the English people had done to benefit India, the missionaries had done more than all other agencies combined. It seemed to him that year by year and cycle by cycle the influence of these missionaries must increase, and reach larger masses of the people. The ties of their own religion were relaxed, but the natives of India had not yet got the Christian religion. He had many duties to perform as a Government official, and he was not able to take any direct part in missionary enterprise; but he had learned to respect and love many of the missionaries. At a similar meeting in 1873, Lord Napier of Magdala said: 'If you blotted out the missionary you would deprive the State of half its teaching, civilising, and moralising power.'

Bishop Cotton, 1858-1866.

In 1858 the See of Calcutta was offered to George Cotton, Master of Marlborough College, who went out to India with no prejudice in favour of missionaries, but was soon convinced of the reality of what they had done and were doing. Cotton was a man of individual mind, and as conciliatory and prudent as he was courageous. His work at Rugby under Arnold and at Marlborough showed his character; and he was admired and trusted by Indian

officials as no bishop before him had been. He gave much attention to the affairs of the Calcutta University, and still more to the organisation of schools for the education of the European and Eurasian population settled by necessity in India, which tended by marriage and other circumstances to decline from its European character. Not that he was neglectful of the native Hindus. He too looked to the growth of a native clergy, and did much for the education of the youth at Bishop's College and elsewhere, carrying out in this the good beginning made by Middleton in the foundation of missionary schools. During his short episcopate Cotton was able to work with the two Societies without either dominating them or effacing his own personality.

Milman (1816-1876), who succeeded Cotton in 1867, was, like him, a man of wide sympathies, and showed both good sense and Christian feeling when (1868) he welcomed the visit of Dr. Norman Macleod as a deputation from the Established Church of Scotland. The Delhi mission was set up again after the Mutiny (1859), and, as before, helpers came from Cambridge. With the aid of Ram Chandra they established (1865) St. Stephen's memorial mission church and college for native boys, and gained converts in the city, especially among the low caste Chamars. At Cawnpore and Amritsar missions were set up by the Church Missionary Society, which has stations at Agra, Lucknow, and Lahore; and in Central India among the Santhals and at Chota Nagpur, 200 miles west of Calcutta, among the 'devil-worshipping' Kôls, a race with whom the initial difficulty of caste did not exist. This mission began with a Lutheran mission sent in 1844 from Berlin, which, after five years of complete failure, as it seemed, at last took root in Ranchi, and so flourished, in spite of a dispersion after the Mutiny, that in 1864 it numbered nearly ten thousand native Christians. Soon after this, disputes arose between the older German missionaries at Ranchi and some younger and more eager recruits from Berlin. The whole body of native Christians left their teachers, and desired Bishop Milman to take them into his fold; and after some negotiations with the Lutheran Committee at Calcutta, the Bishop received the whole community (1869), nearly ten

Bishop Milman, 1867-1876.

thousand in number, into the Church of England, and ordained four of their pastors.

Missionary bishops.

The difficulty of race which exists in India was not diminished by proposals to create missionary bishops without defined territorial limits. Archbishop Sumner wished to appoint commissary bishops; the two Church Societies would have preferred to nominate respectively bishops of their own way of thinking. Cotton objected partly on the ground of ancient episcopal precedent, partly because 'it would divide the Indian Church into two separate portions, and introduce into it distinctions of race scarcely less fatal than those of caste, from which native believers are with difficulty delivered.' Milman drew a distinction between European churches and native churches, and thought that the latter should provide their own clergy of all orders. The difficulty was increased by legal complications, and it was not till after Milman's death that two missionaries, Caldwell of the S.P.G. and Sargent of the C.M.S., were consecrated Assistant Bishops to the Bishop of Madras, and given respectively the charge of the missions established in that presidency by the two Societies. Bishop Milman was greatly respected by the natives, whose confidence he gained partly by an unusual readiness in learning and using their languages. Worn out by hard work and exposure to cold and heat in the rainy season, he died of fever at Rawal Pindi in 1876.

Mission to Madras, 1726.

The first mission of the English Church at Madras was sent out by the S.P.C.K. in 1726, and its connexion with the Lutheran missions there has been mentioned in a former chapter.[1] After the death of Schwartz these missions languished, till in 1814 the C.M.S., and in 1824 the S.P.G. took up the work. The management, though not the maintenance, of the mission was formally 'transferred' from the S.P.C.K. to the S.P.G. in 1825. Missionary work has been fruitful in Southern India, where the two Societies work together in harmony; especially at Tinnevelly, among a population of Hindu race, now containing a large proportion of Christians, in Tanjore, and

[1] Part I. p. 74.

at Travancore, the seat of the ancient Malabar Christianity. The Tinnevelly mission was one of the earliest, and has continued to be the most effective of all Indian missions; almost the only one, indeed, which has created a large native Christian population. In Tanjore, 'the stronghold of caste,' it was found to be the most successful, as it was the most honest policy, to combat that institution. But to do so was to confine missionary work chiefly to those who had no caste to lose, and this necessarily brings discredit upon missions.

George Trevor Spencer (1799-1866), who was Bishop of Madras from 1837 to 1849, like Wilson, would have no temporising with the 'curse of caste,' and protested against accepting converts on their own terms. There were, in 1872, 70,000 native Christians in the diocese of Madras, and in 1880, 97,000; together with a large number of native clergy, without which institution, as Cotton saw, and as all missionary churches have recognised, no permanent progress can be expected. Racial difficulties have hitherto prevented the extension of the Episcopate to native Christians. The difficulty of committing authority to members of a conquered people is obvious. The fact that Christianity has made more progress among a despised race like the Shanars of Madras than among the more educated and intellectual natives of Bengal, is in agreement with the early history of Christianity. It would appear, indeed, that direct results are to be expected rather from work done among the aboriginal tribes, which have no preconceived system of religion to bar the way, than among the great mass of Brahminical or Mohammedan believers. There are periods both of rise and fall, and the doctrine of the 'remnant' holds true in spite of discouragement.

Bishop George Spencer, 1837.

In 1877 a great famine visited the central and southern provinces; and much was done by the English Church in relieving distress. The natives thought that their gods had deserted them, and came over in thousands as converts. No less than 20,000 from the S.P.G. districts, and 10,000 from the C.M.S. districts renounced idolatry. Enthusiasts spoke of 'Pentecostal scenes'; sceptics called the converts 'rice-Christians.' At the least it was an

Famine in Madras, 1877.

opportunity for evangelisation, and good use was made of it, as regards both immediate and permanent results.

Bombay missions.

Though Bombay was one of our earliest Indian settlements, the first Church of England mission began in 1818 with the formation of a Corresponding Committee of the C.M.S.: but no official countenance was given to missions in this diocese till the year 1825. A sum of money amounting to nearly £1500 was collected, but no missionary was sent till 1836. George Candy was the first C.M.S. missionary in Bombay, a district where a crowded native population creates both opportunities and hindrances. The See of Bombay was founded in 1837, and the first bishop was Daniel Wilson's friend, Thomas Carr. The conditions of mission work there are similar to those of other parts of India, but besides Hindus and Mohammedans there is in this presidency a rich and powerful population of Parsees, followers of Zerdusht, and commonly reputed to be fire-worshippers. Untouched by Brahminism and Mohammedanism, they are also little accessible to Christian teaching, though they are among the most enlightened inhabitants of India. Bishop Douglas, on arriving at Bombay in 1869, devised the plan of planting missions at European military or civil centres, places in which there is always a large native population, such as Kolapur. More was accomplished among the Mahrattas at Poona, where at the present moment the Wantage Sisters and the Cowley Fathers have missions. In every part of India the same drawbacks are experienced. Mohammedanism is strong, caste is strong. Christianity is an exotic, and the need of a native clergy is greatly felt. As in Madras so in Bombay, the converts are principally of low condition; but the Church may be all the more firmly founded for that.

Viceroys and missions.

Lord Northbrook, Viceroy of India from 1872 to 1876, was a nephew of Bishop Baring of Durham, and a friend to missionaries. He was succeeded by the brilliant and versatile Lord Lytton (1876), and he again by Lord Ripon (1880), who, though a Roman Catholic, visited the C.M.S. missions in a friendly spirit, and helped them with subscriptions. If the Viceroys were not

actively associated with mission work, several of the Lieutenant-Governors were willing helpers, and the names of Temple, Aitchison, Rivers Thompson, and Bernard are remembered by the Society.

Bishop Milman was succeeded by Edward Ralph Johnson, who held the See of Calcutta for eighteen years, 1876-1894, and provided for the good government of the Church by creating the dioceses of Rangoon in Burma (1877), Lahore (1877), Lucknow (1893), and Chota Nagpur (1890). The first step taken by the Anglican Church to propagate the Gospel in Burma had been the creation of a Burma Mission Fund by two British chaplains in connexion with the S.P.G. in 1852. The difficulties in reaching a Buddhist population are very great, since it is of the essence of Buddhism to discourage curiosity and religious disquiet. Nevertheless the work is less difficult here than in India proper, because the hindrance of caste is absent. The See of Lahore was endowed and constituted as a Memorial to Bishop Milman in 1876, and Thomas Valpy French consecrated Bishop in 1877, and at the same time Jonathan Holt Titcomb was made Bishop of Rangoon, who carried on in Burma the Cambridge evangelical tradition to which Indian Christianity owes so much. He found at Delhi, with the S.P.G. mission, a reinforcement of Cambridge men who had been sent out under the influence of Westcott and Lightfoot. The leader of the mission was Edward Bickersteth, son of the Bishop of Exeter.

New bishoprics founded.

All authorities agree in the importance of education. Generally speaking, the introduction of Western ideas among other races brings with it, by mere contact, a disintegrating force which acts upon all ancient ideas of education, all traditional cosmography and mythology, and consequently a responsibility to put something better in their place; the example of the English, soldiers and civilians alike, is powerful for good or evil; and there is a call to the English clergy to consider the claims of the army, in which chaplains have so great an opportunity. The English teach the lessons of peace, justice, and incorruptibility; they bring in new notions of trade, new material needs, and the curse of alcohol. But whilst all this goes

Influence of European ideas.

on automatically, the supply of missionaries, male and female, is not kept up, the churches dwindle, and new populations are absorbed by Buddhism instead of by Christianity. More clergy are needed, and more celibate workers of both sexes, to cope with the enormous numbers of the natives, and to hold their own as Churchmen by the side of the honourable company of Nonconformist and Roman missionaries.

Sectarian jealousy.

A serious hindrance to the success of missionary work, both in India and in other countries, is to be found in sectarian jealousy. The Roman Catholic missions have an ancient and honourable history; and in numerical result their work exceeds all that Protestant agencies have accomplished. The Anglican and other Protestant Societies aim more, it may be, at individual conversion, and care less for conformity to a rule and a discipline. The C.M.S. works in harmony with the Wesleyan and American Baptist organisations, and so too the S.P.G., though less freely. It is difficult to reconcile the text 'forbid him not' with that other, 'he that gathereth not with Me'; but such phrases as 'the vultures of Rome,' and 'Baptist sheep-stealing' ought not in any case to appear in missionary records. On all hands there is too much sectarian feeling, narrowness, obstinacy, and readiness to take offence; but notwithstanding this, 'Christ is preached,' and Christians of all denominations for the most part live together in peace.

Individual devotion.

Except Equatorial Africa, there is no part of the world in which the Church has lost more by the deaths of missionaries than India. It would be impossible, and if possible it would be invidious, to select names from the noble army of men and women who have given up worldly advantages, home, health, and life in the service of evangelising India, and whose works follow them. Whatever advance Christianity has made among the nations of India is due to individual devotion and to the perseverance of the Missionary Societies, sometimes hindered and seldom helped by Government. Missionaries do not want State interference: the adventurous part of a missionary's life has freer scope in a foreign country like China or Madagascar than in a British dependency, and a church establishment is

a hindrance to them as well as a protection. The progress of Christianity in India, though slow, is not doubtful; and with the missionary work of preaching the Gospel are combined such organisations as the theological Colleges at Calcutta, Lahore, Poona, Madras, and other centres, Christian boarding schools both for boys and girls, training schools, orphanages, and high schools.

Women, both European and native, have taken a share in the Christianising of India, and especially in improving the condition of their own sex. The Society for Promoting Female Education in the East, the Zenana Bible and Medical Mission, and the Church of England Zenana Missionary Society are in touch with the C.M.S., though not formally included in it, and the work has received great development in later years. Some 30,000 girls are being educated in mission schools, besides those brought up in zenanas visited by English ladies. A kindly spirit attends women's ministrations, whether medical, educational, or directly religious; and a way to native confidence has often been made by medical missions,—the hospital and dispensary are found to open a door for Christian teaching.

Women's work.

The Gospel was planted in Ceylon in the sixteenth century both by Portuguese and Dutch. The Dutch, who ruled the island for two hundred years, forced Protestant Christianity upon the people by fining impartially the Buddhists of the south, the Hindus of the north, and the Roman Catholics. They built churches and schools, and supported ministers and schoolmasters; and the number of nominal Christians was estimated in 1795 at more than half a million. In the next year (1796) Ceylon became a British possession. Government religion was thrown off, the number of Christians fell at once to less than one-half, and the Dutch churches went to ruin. In 1817 four missionaries were sent out by the C.M.S., who received Bishop Heber's praise, as being patterns of what missionaries ought to be. The mission grew slowly, but was not without fruit. It was, however, not till 1845, when Ceylon was made a diocese in the province of Calcutta, and an able and energetic man,

Ceylon. Bishop Chapman.

James Chapman, an Eton master, appointed as bishop, that the Church in Ceylon made a step forward. Bishop Chapman was a High Churchman; and though doing justice to all, was more inclined to the S.P.G. and the S.P.C.K. than to the sister but rival Society. He was much affected by the thought that so little should have been done for Christianity in fifty years. He saw that schools were 'the real field of hopeful labour,' and originated a Diocesan School Society, which brought to light a great and general desire for education in the colony. In 1848 he founded the College of St. Thomas at Colombo, for the training of candidates for Holy Orders, and of native catechists and schoolmasters. As the Ceylon Government was unable to help him, the Bishop applied to the Societies; and, partly by his own liberality, partly by their aid, established a divinity school, a collegiate school, and a native orphan asylum. The C.M.S., which took no part in the founding of St. Thomas's College, had its own institutions at Cotta, Colombo, and Kandy. The two Societies worked on independent lines, but in harmony and with good success, under Bishops Claughton (1862) and Jermyn (1872).

In 1875, R. S. Copleston (now Bishop and Metropolitan of Calcutta), was nominated by Lord Carnarvon to the See of Colombo, and in the following year his friend L. G. Mylne was made Bishop of Bombay. These appointments caused some discontent among the evangelical party: the C.M.S. was strongly established in Ceylon, and its missionaries were not disposed to be passively obedient to a newcomer whose traditions were not the same as theirs. The hazardous and individual character of missionary work breeds a wholesome spirit of independence, which is not always tempered by discretion. Disputes arose between Bishop Copleston and the C.M.S. Committee concerning the Bishop's appointments of chaplains, the cathedral ritual, and certain concessions to nonconformist congregations. The missionaries disobeyed the Bishop; the Bishop revoked their licences and then restored them. At length, by common consent, the dispute was referred to Archbishop Tait, who, with the help of Archbishop Thomson of York and Bishops Jackson, Lightfoot, and Browne, issued an 'Opinion' (1880) containing a settlement which was gratefully accepted by all.

Bishop Copleston.

In 1881 it was announced by the Government of Ceylon that all State subsidies to the Bishop and clergy would come to an end in five years. The Bishop thereupon called an assembly of the Church in Ceylon, including lay delegates; and a Constitution for the 'Church of England in Ceylon' was framed, which was formally ratified by the permanent synod of the disestablished Church, July 7, 1886.

The Church Constitution, 1886.

The establishment of James Brooke in 1842 as Governor of Sarawak opened Borneo to the English, and in 1845 Labuan, now the seat of a bishopric, became part of the British Empire. The 'Borneo Church Mission Fund' was set up in 1846 in answer to Brooke's request for help; in 1852 its work was taken over by the Society for the Propagation of the Gospel. The first missionary, F. T. M'Dougall, who went out in 1847, worked alone for three years, and in 1855 was consecrated at Calcutta as Bishop of Singapore and Labuan, Borneo not being part of the British dominions. The object of the mission has been to foster the growth of a native Church. 'It has been determined that the Church of Borneo shall not be an exotic.' The title of the see is now Singapore, Labuan, and Sarawak, and the mission work is carried on in connexion with the S.P.G. The great work done by Rajah Sir James Brooke, seconded by the teaching of Christian missionaries, has made the Dyaks a different people. Head-hunting, slavery, piracy, and infanticide have come to an end, and the number of Christians has largely increased and is increasing; the converts are devout and sincere; and the bulk of the Dyaks, happily released from heathen habits, are spoken of as honest, hospitable, truthful, and moral. Among the difficulties of mission work is the counter-mission of the Mohammedan rulers and traders, far more numerous than the Christians, and from language, nationality, and habits having easier access to the native populations.

Borneo and Labuan.

China, the scene of the labours and death of St. Francis

Xavier, owes more to him and his Jesuit brethren than to any other body of missionaries. The Roman Catholic missions have a large staff of clergy in the country, and have made at least some slight impression upon the impenetrable mass of four hundred millions of Buddhists, Confucians, and Taoists. Missionaries from America and from the London Missionary Society were the first to preach Protestant Christianity in China, which was at that time closed to all European access. Robert Morrison, sent out by the London Missionary Society in 1807, had been succeeded by other missionaries, but they were not allowed to go beyond Canton. In 1844, Dr. Boone of the American Episcopal Church was consecrated Bishop of Shanghai, and in the same year, and again in 1847 and 1849, C.M.S. missionaries were sent to China from Oxford, Dublin, and Cambridge. In 1849, when England became possessed of Hong Kong, the See of Victoria was established there, and partly endowed by the S.P.G. The mission settlements were few, and little could be done. The Taeping rebellion appeared to give an opening; the rebels destroyed idols and made overtures to the Christians: but it was not till the Elgin Treaty of Tien-tsin was signed in 1858 that the country was opened to missionaries. A mission at Peking was begun in 1860, and an inland mission by George Moule at Hang-chow in 1865; and in the following year the China Inland Mission was organised, and Hudson Taylor sent out to lead it. Other bishoprics have been added to that of Shanghai, Mid-China in 1872, North China in 1880; and a native ministry has been established.

China.

In 1885 seven friends from Cambridge, led by Stanley Smith and Charles Studd, under the influence of Charles Moule of Ridley Hall, now Bishop of Durham, and partly in consequence of Moody's mission to Cambridge in 1883, established missions in China, and their presence and unostentatious influence are not without effect; though the suspicion and dislike of foreigners is extended to them as being presumably spies in the pay of foreign Governments, and native Christians also suffer under the same suspicion. Christians in China have always been in danger; and in the 'Boxer' insurrection of 1900 three S.P.G.

Cambridge mission, 1885.

missionaries—Brooks, Norman, and Robinson—lost their lives, as well as many native Christians. If it is true that the number of conversions is not great, it is also true that a leavening takes place, and that intercourse with the missionaries is the only humanising influence from without brought to bear upon the Chinese. It must also be noticed here that the demand for cheap labour in every part of the world has brought into the mission field many Chinese emigrants, who come in contact with Christian teaching, and bring it back to China with them when they return. The history of the mission conducted by the Studds and their Eton friends the Polhills is too recent to be recorded here. But there is good reason to believe that the 'awakening of China' favours the hopes of the missionaries.

Corea.

The efforts of the Jesuits to gain a footing in Corea were checked by persecution, and many Christians, both native and French, were put to death. It was not till 1882 that a treaty between the United States and Corea gave comparative safety to Christians. The Bishops of China, Burdon, Moule, and Scott, sent a letter to Archbishop Benson, who appealed to the C.M.S. The Society was not able at the moment to undertake effective action; but Mr. Wolfe, one of their missionaries, went to Corea in 1884, and pleaded the cause among the Chinese Christians, who sent a mission of their own into Corea in the following year. Sir Henry Parkes's treaty between England and China in 1884 gave further encouragement; and the American Presbyterians and Episcopal Methodists sent missionaries. In 1888 the S.P.G. offered the Bishop of North China £2500 for a mission, and C. J. Corfe was consecrated in Westminster Abbey on November 1, 1889, under Royal mandate, as missionary bishop for Corea. Eight clergymen, two of them from America, accompanied the Bishop. Foundations have been laid, though, in view of the vicissitudes brought about by two great wars, the future of mission work in this country must remain in much uncertainty.

The story of the Jesuit missions in Japan and the great

massacre of Christians in 1637 is famous. For two centuries after that date no Christian could enter Japan; but in 1858 the country was opened to Europeans. There appeared at one time to be a prospect of the Government declaring Christianity the state religion; but the fear of this produced a revival of Buddhism and Shintoism. The Government was indifferent; no opposition was made to the Anglican missionaries, and the Church appeared to have much opportunity before it, chiefly among the poorer classes. The first Protestant bishop in Japan was C. M. Williams, consecrated by the American Church in 1866 as missionary bishop to China, with a commission to superintend also the missions in Japan. The C.M.S. and the S.P.G. sent their missionaries in 1873 and succeeding years; but the American Episcopal mission was strongest in the field, and at a conference held at Osaka in 1883, out of 106 members present all but eighteen were Americans. A difference of opinion arose between the two Societies in 1881 as to the appointment of a bishop, which was settled by a suggestion from Archbishop Tait, that the Societies should each grant £500 a year for the support of a bishop to be nominated by himself. In 1883 Archbishop Benson appointed A. W. Poole, a C.M.S. missionary from India, as bishop, and when he died in 1885, Edward Bickersteth, the son of the Bishop of Exeter, who though not a C.M.S. man, was much in sympathy with the Society, and had been one of the Cambridge members of the S.P.G. mission to Delhi. Bishop Bickersteth found means to combine the two English missions and the American mission into one community.

Japan.

In the intellectual and spiritual stirring which moved the whole Japanese nation at the time when the political revolution took place, the all-receptive Japanese mind turned to the conception of a universal religion of a neo-Christian character. But instead of the entirely undogmatic system which was proposed by some advanced reformers in the country itself, the Christians of the Anglican mission, aided by both Americans and Japanese, elected in February 1887 a synod consisting of Europeans and Americans, with a larger number of Japanese, who drew up a Constitution for the 'Japanese Holy Catholic Society'

The Japan Church, 1887.

or 'Japan Church,' founded on the basis of the Holy Scriptures, the Apostles' and Nicene Creeds, the doctrine, sacraments, and discipline of Christ, as laid down in Scripture, and the three Orders of the Ministry. A native missionary society was also set on foot, with help from the S.P.G., the C.M.S., and the American mission. It is stated that between 1883 and 1900 the number of Anglican Christians grew from five hundred to ten thousand. The question of episcopal authority was met by the temporary division of the two dioceses between the American and English Churches in the proportion of two sees to four. There is no question in Japan of maintaining a foreign clergy and episcopate on a footing of superiority. If Christianity prospers in Japan, the native church will be ordered by the Japanese. The consciousness of this probably determined the course taken by the synod of 1887 in providing for a Constitution for the national church. By the same synod the English Prayer Book, with some omissions and substitutions, partly adopted from the American Prayer Book of 1789, was ordered to be used, and the Thirty-nine Articles of Religion were adopted provisionally. The framework of an independent and self-governing church was thus set up.

Western Africa.

The Emancipation movement, as is recorded in our first part,[1] turned the eyes of evangelists to Western Africa. The difficulties and dangers were even greater than before, owing to the active hostility of traders enraged by the prohibition of the slave trade in 1807. The Susoo mission (1807) and the Sierra Leone mission were pushed forward in the face of a revival of the trade, and in 1815 Edward Bickersteth (1786-1850), a Norwich solicitor, summoned by Josiah Pratt and the C.M.S. Committee, gave up all worldly business, and was ordained deacon and priest for the West African mission. Rescued slaves were brought into Sierra Leone by the British cruisers which patrolled the coast, and school-houses and churches were built for them by the Government. Hundreds of rescued slaves were converted, and became quiet and devout Christians. The mission

[1] Part I. p. 45.

prospered, but at a great cost of life from fever; fourteen workers only remained alive in 1826 out of seventy-nine who had gone out in the course of twenty-two years. These deaths proved to be *semen ecclesiae*, and it was now possible to say, 'Africa is an advantage to the Society—a creditor, and not a debtor.'

Much help was given to the West African mission by the 'Basle men,' sent by the Missionary Society established in that town, and prepared for their work in England at the C.M.S. College established at Islington by Wilson and Pratt in 1826. Fourah Bay College was founded in 1827, and continues to this day to educate most of the native clergy and many of the laity in the colony of Sierra Leone. In 1841 an important meeting was held in London, at which Archbishop Howley took the chair, and all sections of Churchmen were represented. Bishop Blomfield spoke of the need for unity in missions, and in particular for unity of operation in the working of the two Church Societies, and advised that all should be conducted under the 'superintendence and control' of the bishops. The authority of the Bishop of London, though vast, was nominal; *ecclesia est in episcopo.* A church without a bishop was undeserving of the name of an episcopal church. In consequence of this meeting, the C.M.S. now added a law to their Constitution providing for the reference to the English episcopate of any difference which might arise between a bishop abroad and the Society; and upon this both the Archbishops and several bishops became Vice-Patrons and Vice-Presidents of the Society. The C.M.S. contributed £600 for ten years to the Colonial Bishoprics Fund, which was further endowed by £5000 from the S.P.G., £10,000 from the S.P.C.K., and many other munificent gifts.

Episcopal organisation.

Thomas Fowell Buxton (1786-1845), Wilberforce's 'Parliamentary executor,' whose saying it was that 'the deliverance of Africa is to be effected by calling out her own resources,' found supporters in Charles Grant, Colonial Secretary, and Sir James Stephen, Under-Secretary of the Colonial Office in 1838, and in 1839 a Society for the Civilisation of Africa had been set on foot, in which Bishop Blomfield, Lord Ashley, and other public

Niger expedition, 1839.

men took interest. Lord John Russell and Lord Palmerston also supported the movement, and steamers were sent out to explore the Niger and open communications with African chiefs engaged in the slave trade. The expedition failed; most of those who took part in it died of fever, and, in spite of the perseverance of Buxton, whose health never recovered the disappointment, the Niger Company was dissolved in 1843. In 1851 an experiment to evangelise Western Africa was begun from Codrington College, Barbados, interesting as the first missionary movement which proceeded from the Church in the colonies.

Sierra Leone became a bishop's see in 1852. The first bishop was O. E. Vidal. In 1857 John Bowen, after many years' service in the East, was appointed Bishop. He, as his native chaplain said, 'did many things in a little time,' for the climate and his own unceasing labour, at a time when fever and small-pox were raging in the colony, wore him out within two years. About the same time as the failure of the Niger expedition, Samuel Crowther (1809-1891) was ordained deacon at St. Paul's, and immediately returned as a missionary to his native country. Crowther was a slave boy from the Yoruba country, north of Lagos, who was educated at Fourah Bay College. After working among his countrymen for twenty-one years, he was consecrated Bishop of the Niger in 1864. At his death, in 1891, his work among the heathen tribes on the Niger had prospered so much that the C.M.S. was able to found the See of Western Equatorial Africa.

Bishops Bowen and Crowther.

It was the opinion of Henry Venn that the East Coast was the true route for European missionaries to the interior of Africa. The impulse followed by Livingstone, Burton, Speke, Stanley, and other explorers was first given by Johann Ludwig Krapf, his wife Rosina, and his brother missionary Rebmann. 'Whether the result be life or death,' said Krapf, 'the mission must be begun.' This is the spirit in which victories are won. All missionary work in those countries since Krapf's time has been carried out on the lines laid down by him, the idea being that of a chain of missions from East to West Africa, from

East Africa.

Mombasa to Yoruba. Though neither Krapf nor Rebmann actually died in Africa, they sacrificed health, as well as all worldly interests, to the cause of the Gospel, having for their reward the knowledge that the Church was founded in East Africa. In 1851 Krapf penetrated 200 miles into the interior: his porters left him, and he returned alone, but he had heard of a great sea in the heart of the continent, and of a country called Uganda, and he 'bequeathed' the notion of a chain of missions to all missionaries who should follow him. In 1870, owing to the increase of the slave trade and much discouragement from other causes, especially want of funds, the East African mission was suspended, but revived in 1873 by the C.M.S., in combination with the Universities Mission and the Anti-Slavery Society, much helped by Sir Bartle Frere, who was sent out by Gladstone's Government to Zanzibar to put down the slave trade. Not far from Mombasa, where Rosina Krapf was buried, was now (1874) founded by William Price, a C.M.S. agent, the settlement of Frere Town, a place of refuge for the victims of the Arab slave dhows, and a centre of East African missionary enterprise.

South Africa. Bishop Gray.

The diocese of Cape Town was founded in 1847, Robert Gray being the first Bishop. The new diocese included the whole of South Africa, which had been taken from the Dutch forty years previously. At the time of Gray's appointment there were only thirteen English clergymen in the country, whilst emigration to the colony was going on at the rate of 50,000 settlers a year. Gray took out with him seven helpers, lay and clerical, and after three years the number of the clergy had increased fourfold: churches were built, and a diocesan school was established near Cape Town. Gray was a man of indomitable courage and perseverance, one who could work himself and make others work. He made himself personally acquainted with clergy and laity: established a complete system of provincial and diocesan synods, introduced women's work, interested himself in the natives, and in all respects played the part of a great bishop. Those who cannot acquit him of intolerance in his contest with Colenso must admit that if he was combative and tenacious, he was

honest, fearless, and industrious. He visited all parts of his diocese, even St. Helena, in the face of difficulties of every kind, and was urgent in demanding its subdivision. He insisted on religious equality between whites and blacks; he obtained from the S.P.G. grants for missions and colleges; entered into relations with Dutch, Moravian, German, London, and Wesleyan missions, and was on friendly terms with all, though he was, by his own acknowledgment, a strong Churchman, and not disposed to be too favourable to dissent.

The establishment of the Church of South Africa and the recognition of its independence was greatly due to Gray's strength of will. The metropolitical or quasi-patriarchal authority of the See of Canterbury over free churches established in self-governing colonies was undefined; and Bishop Jones, who succeeded Gray as Bishop of Cape Town in 1874, guarded his oath of obedience to Canterbury by excepting the Constitution and Canons of the Church of South Africa. Archbishop Tait accepted this declaration, without further definition, assertion, or surrender, of the claim of Canterbury.

Authority of the See of Canterbury.

The prospects of Christianity among the intelligent people of Zululand were so attractive that Bishop Colenso proposed to give up the See of Natal and devote himself to a mission among the Zulus. In 1860 the first mission was founded by R. Robertson and his wife, who ventured alone into a savage country, ruled by the famous chiefs Cetywayo and Panda. A further mission was founded in Swaziland in 1871 by Joel Jackson of St. Augustine's College. In the diocese of Bloemfontein (founded in 1863), including the Orange Free State, Basutoland, Griqualand, and Bechuanaland; in the diocese of Mashonaland, including all Rhodesia; in Zululand, Pretoria, St. John's, Lebombo dioceses, all formed in the last half century under Bishop Carter, now Archbishop of Cape Town, Smyth, Knight-Bruce, and others, the work of the Church of England has gone on among colonists, Boers, natives of all tribes, and oriental coolies. In particular the dioceses of St. John's, Kaffraria, and Zululand have seen the great development of a native church. There are now in South Africa, from Cape Town to the Zambesi, nine bishops and nearly four hundred clergy,

Diocesan organisation.

of whom twenty-three are natives. In all this work the S.P.G. has been prominent.

Central Africa. Livingstone.

The great traveller and missionary David Livingstone returned to England in December 1856, after sixteen years' work in Africa, and tried to interest the Universities in missionary enterprise in Central Africa, and especially on the river Zambesi. He returned to Africa in 1858, without having received much encouragement, but his design was forwarded by the energetic advocacy of Bishop Gray, who came to England in that year. On May 17, 1857, a meeting was held at Oxford at which Bishop Wilberforce presided; and a more important meeting took place in the following November (All Saints' Day) at Cambridge, on which occasion Gladstone and Livingstone himself were present. Bishop Wilberforce was again the most influential speaker. He had undertaken, as the Public Orator said in introducing him for an honorary degree, *quasi haereditario jure* the cause of the people of Africa; and few who were present will forget the eloquent sincerity of the Bishop's appeal to the memory of his father the emancipator, or the plain story told by the rugged and simple explorer who in his long exile had done and suffered so much for the black races. His travels, he often declared, had only been 'the beginning of the missionary enterprise.'

Charles Frederick Mackenzie. Charles Frederick Mackenzie (1825-1862), a distinguished mathematician, one who took up College and University work not as an intellectual exercise but as a religious mission, a man of 'fine temper and irresistible lovableness,' was haunted by a feeling that missions to the heathen were slighted, and that the University of Cambridge held back from the work. At last the thought came to him, on the occasion of the Delhi mission in 1854, 'No one else will go, so I will.' His college friends, especially Harvey Goodwin, afterwards Bishop of Carlisle, dissuaded him, and he stayed at home; but the wish to offer himself for mission work remained, and was kindled afresh by Selwyn, who preached four sermons before the University in November 1854, and in one of them said, 'Let it be no longer a reproach to the Universities that they have sent so

few missionaries to the heathen. . . . The voice of the Lord is asking, "Whom shall I send, and who will go with us?" May every one of you who intends by God's grace to dedicate himself to the ministry answer at once, "Here am I, send me."' Words like these, spoken with the apostolical authority and the vivid personality which lived in Bishop Selwyn and animated all he said, had a strong effect upon Mackenzie, a man of the deepest spiritual nature, of whom it was said, 'he carries his own heavenly atmosphere around him.' Mackenzie went out to Natal with Bishop Colenso in 1855; he returned to England in 1859, a few months before the memorable meeting held in the Senate House at Cambridge, an account of which has been given above. On the following day, at a meeting held to organise the proposed mission to Central Southern Africa, it was decided that Mackenzie should be invited to lead the intended mission to the Zambesi country as Bishop. He accepted the offer without hesitation, knowing what the personal risk was likely to be.

Mackenzie left England on October 6, 1860, and was consecrated at Cape Town on January 1, 1861, the first missionary bishop of the Church of England. He was soon engaged in other work than he had expected. Though he could write 'We have few wants and no cares,' his work was pursued in the midst of constant danger from fever and from the presence and hostility of slave-drivers. He describes marching with his gun in one hand and his crosier in the other. In company with Livingstone he went up the Shiré river and marched far into the country. They came across parties of slave-drivers, freed the slaves and bound their captors, and thus became not merely preachers of the Gospel, but slave liberators, and had now a tribe, as it were, of their own; the Bishop had become an African chief, and it became necessary for him to build a village at Magomero, on the border between a weaker and a stronger tribe. This position drew the missionaries into an alliance with the weaker tribe. A battle and a victory ensued. It was the beginning of a policy which to be successful must be strong, and the Bishop did not know the strength of his enemy. It is possible that a peaceful course

Consecrated Bishop of Zambesi, 1861.

of conduct like that of the Quakers in America or the Williams family in New Zealand might have been more successful: but it was almost impossible for Europeans to be in the midst of slave-hunting and not to interfere. At any rate, Livingstone, writing two years later, says, 'I have just been visiting Bishop Mackenzie's grave. At first I thought him wrong in fighting, but don't think so now. He defended his hundred and forty orphan children when there was no human arm besides to invoke.'

Death of Mackenzie, 1862.

The story ends abruptly. In January 1862 a canoe containing all the Bishop's store of medicines was upset; it is death to a European in that region to be without quinine, and a fortnight later he died at the island Malo, where the river Ruo joins the Shiré. 'The lowlands are deadly,' wrote Livingstone, who missed Mackenzie at the Ruo by only a few days. Mackenzie's life was not wasted. The Universities' mission made progress; the experience gained by the first missionaries was a guide to future relations with the natives. It was at first intended that the mission should be handed over to the S.P.G. after a few years; but though closely allied to that Society, it has preserved its independent organisation and its connexion with Cambridge.

Zanzibar and Uganda, 1862-1882.

After Mackenzie's death the mainland mission came to an end, Bishop Tozer, his successor, having established himself at Zanzibar. The public interest in the mission declined, and funds almost completely failed. But the mission went on; and Sir Bartle Frere's embassy to Zanzibar gave a check to the Central African slave trade and raised the hopes of the missionaries. The explorations of Burton, Speke, Baker, and Stanley opened up an immeasurable field, and a C.M.S. mission was sent in 1877 to the Victoria Nyanza to establish relations with the powerful chief M'tesa. The first missionaries were murdered, but in 1878 the Uganda mission was set on foot again, and has continued to the present time.

In 1882 James Hannington (1847-1885), curate in charge of the proprietary chapel of St. George, Hurstpierpoint, offered himself to the C.M.S. He was a man of remarkable character. His enterprise, courage, physical strength, and

endurance made him a hero wherever he was known. His feats of daring are remembered by the fishermen of North Devon, and his adventures with wild animals and savages in Africa show an almost incredible disregard of danger, as well as a remarkable power of command over natives. After a year spent in Uganda, his health completely broke down, and he had to return to England. In 1884, having recovered his health, he was consecrated Bishop of Eastern Equatorial Africa. His mission-field was the shore of the Victoria Nyanza lake, and much of his travelling was done by water. The new Bishop, from his headquarters at Frere Town, brought enthusiasm wherever he went, and inspired confidence in the natives.

Bishop Hannington.

M'tesa, who had won the respect of Speke, Grant, and Stanley, died in 1885, and his successor Mwanga was unfavourable to European influence in his country. In October 1885 Bishop Hannington set out for Uganda by a new route. After enduring terrible hardships, the Bishop ordered the main body to stay behind, while he went on with fifty picked men. Mwanga, who believed that the Bishop was the forerunner of conquest, imprisoned him, and after a few days of terrible suffering from illness, heat, dirt, vermin, and the crowding of thousands of noisy and inquisitive natives, brought the Bishop and his few remaining followers out of their prisons to execution. We read how, 'as the soldiers told off to murder him closed round, he made one last use of that commanding mien which never failed to secure for him the respect of the most savage. Drawing himself up, he looked around, and as they momentarily hesitated, with poised weapons . . . he bade them tell the king that he was about to die for the Ba-ganda, and that he had purchased the road to Buganda with his life. Then, as they still hesitated, he pointed to his own gun, which one of them discharged, and the great and noble spirit leapt forth from its broken house of clay, and entered with exceeding joy into the presence of the King.'

His martyrdom, 1885.

The native converts in Uganda did not lose heart, though hot persecution arose after M'tesa's death. Mwanga was suspicious of any intrusion into his land from the east. He found that his young attendants 'knew another King, Jesus,'

and seized six boys who had been connected with the missionaries. Three were sent back, three were put to death. They 'were tortured, their arms were cut off, and they were bound alive to a scaffolding, under which a fire was made, and so they were slowly burned to death.' As they hung over the flames, the heathens told them to pray now to Jesus Christ, if they thought He could help them. 'The spirit of the martyrs at once entered into the lads, and together they raised their voices and praised Jesus in the fire, singing till their shrivelled tongues refused to form the words.' Much may be expected from a race capable of so much Christian fortitude as this; and in fact the advance of civilisation and Christianity among the people of Uganda has been very rapid from the first, one of the most remarkable features being the self-supporting character of the native churches.

Native martyrs.

The natives of Madagascar, known as Malagasy, a mixed race, principally Malayo-Polynesian, at the time when they were first noticed by Europeans, were barbarous rather than savage; they were ruled by chiefs under a central Royal government. The first English mission to Madagascar was sent out by the London Missionary Society in 1818. The missionaries educated the people, translated the Bible into their language, and made many converts among them. In 1828, Queen Ranaválona I. came to the throne, and a bitter persecution of the Christians began, which lasted more than thirty years. Though many natives suffered martyrdom, no missionary was put to death; but the missionaries went to Madagascar bearing their lives in their hand. So fierce was the opposition that the missionaries found their presence in the country to be harmful to the native Christians; they left Madagascar for the time in 1835, and the native church was left alone. For twenty-five years more the persecution endured, till Queen Ranaválona died at a great age in 1861.

Madagascar. Period of persecution.

Her successor, King Radama II., opened Madagascar to the Christians; and it was found that notwithstanding twenty-five years of persecution the number of native Christians had

greatly multiplied. Two hundred converts had been put to death, and a much larger number had borne cruel persecution. A great revival of Christianity took place in the reign of Radama II.; and Bishop Ryan of the Mauritius, hearing of this turn of affairs, accompanied a British Embassy sent to visit the King in August 1862, and offered him missionaries and teachers for his people. Whilst the London Missionary Society continued its work in the central provinces, the C.M.S. and the S.P.G. undertook operations in the coast districts. A conference was held at the S.P G. office in London, and it was agreed with the London Society that both the Church Societies should send missionaries to Madagascar. It was also agreed, with Bishop Ryan's consent, that no Church of England missionaries should go to Antananarivo, at any rate for the present, and that no resident bishop should be sent; but no official document was signed, and the arrangement was of the nature of a verbal understanding. Radama's successor, Queen Rasohérina (1863), protected Christianity; but disputes arose between the Queen's Christians and the missionaries' converts. In 1864 the C.M.S. sent two missionaries to Vohimare, their station in the north of the island; two more were sent by the S.P.G., who settled at Tamatave on the east coast.

Bishop Ryan's visit to Radama II., 1862.

Ranaválona II., who came to the throne in 1867, made Christianity the State religion, and destroyed idol-worship throughout her dominions. The number of congregations connected with the L.M.S. was suddenly increased sixfold; and though, as was inevitable, a national change of religion was little more than the national acceptance of a nominal Christianity, it must be recognised that a great step had been taken. Meanwhile a movement, much favoured by High Churchmen, and led by Wilberforce, Gray, and Lord Nelson, was set on foot for the establishment of a Church of England bishopric, in connexion with the S.P.G., to take charge of all Anglican missions in the island. The principles which the S.P.G. sought to apply in this case, as defined by it on June 30, 1871, were the same as those which it applied to all its missions, viz. 'that the Church of our Lord and Saviour should be presented to the heathen and opened to them in its integrity of doctrine and discipline,

Queen Ranaválona II. restores Christianity, 1867.

and that under no circumstances whatever . . . should this integrity be compromised or invaded.' After some discussion with the London Missionary Society, the S.P.G. in 1872 sent their missionary, Mr. Chiswell, who had been in the country since 1864, to the capital, Antananarivo; the C.M.S. missionaries concentrated their work in the northern part of the island, so as not to interfere at Antananarivo, where, as in the interior generally, the Christians were Congregationalists.

Dispute between L.M.S. and the Church.

The arrangement made with Bishop Ryan in 1862 was informal and unauthorised, and since circumstances had greatly changed in ten years it was not regarded by the S.P.G. as binding. But the London Society had a strong case. They, and not the Church of England, as Archbishop Tait acknowledged, had Christianised Madagascar; and other Churches were debarred, not only by the arrangement of 1862, but by St. Paul's rule of non-interference, from setting up an independent jurisdiction in their country. On the other hand, the S.P.G. took their stand upon the indefeasible character of Episcopacy, and the argument that it was unreasonable to exclude Church of England missions from a vast tract of country and from the most important work of all, that at the capital. The C.M.S. were in a strait; they wished neither to combine with Non-conformists against episcopal authority, nor to oppose the work of the London Missionary Society. They took a middle course, proposing that their mission should be confined to the northern part of the island, and should be under the jurisdiction of the Bishop of Mauritius, and finally withdrew it altogether.

R. K. Cornish missionary bishop for Madagascar, 1874.

The Archbishop considered that the time had come for the completion of church organisation in Madagascar, and took what seemed to him the best way out of a difficult position, by suggesting that a bishop should be sent out, approved by himself, but consecrated by bishops of the Scottish Episcopal Church, without taking the oath of canonical obedience to the See of Canterbury. This was done; and Robert Kestell Cornish was consecrated at Edinburgh on February 2, 1874, as missionary bishop for Madagascar. The controversy points the well-known moral of the danger of an 'understand-

ing.' The L.M.S. were in possession, had converted the Malagasy, and looked to the fulfilment of the 1862 agreement. But when the mass of the nation was converted by Royal mandate, were they still to have a monopoly at the capital and in the inland country? The question was complex and difficult. Probably Archbishop Tait looked at it more wisely and comprehensively than any one else; but his settlement of the question ignored the agreement between Bishop Ryan and the L.M.S. that there should be no resident bishop, and that the S.P.G. mission should not go to Antananarivo. The history of Christianity in the island showed that change of circumstances had made it undesirable to insist on these two conditions; but the London Missionary Society did not waive its claim; and the course taken is open to some suggestion of high-handedness on the one side and a lack of liberality on the other.

Bishop Kestell Cornish worked for twenty-three years among difficulties arising from the climate and from the temper of the natives, as well as from discouragement on the part of the French authorities after the annexation of the island in 1883; on which occasion he was able to protect the French Jesuits when they were attacked by the mob of Antananarivo. Since 1874, when the C.M.S. transferred its staff of clergy to Japan and other missions, the Anglican mission in Madagascar has been conducted by the S.P.G. Much good work was done among native women by Mrs. Kestell Cornish and Miss Lawrence. In the French attack upon Madagascar in 1895, the mission settlements suffered; and the policy of the French Government has not been favourable to the growth of the mission. There is no longer a State religion, and the French are secularising the schools. But the native church, which owes much to Bishop Cornish's organisation, makes progress; and the Roman Catholics and Congregationalists are furthering, with good hope, the cause of a common Christianity.

French annexation.

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CHAPTER XVIII

MISSIONS—PART II

Australia and Tasmania, New Zealand, Melanesia, Hawaii, British America

THE history of the Church in Australia is the history of Australia; for with the growth of that great country grew the needs and the opportunities of the Church. Fifty years ago the diocese of Sydney was as large as Great Britain, and Melbourne not much smaller; Newcastle five times as large, and Adelaide three times. There are now three ecclesiastical provinces in Australia, and twenty episcopal sees; in 1836 there was one diocese in Australia, which included the whole of the South Seas; New Zealand, the first bishop of which was consecrated in 1841, is now an independent province, and contains seven episcopal sees.

Growth of the Church in Australia.

Australia, which was visited by Captain Cook in 1770, received the first ship-load of convicts from England in 1788. They were landed at Botany Bay. At first no chaplain or schoolmaster was sent with the convicts; but at the earnest request of Bishop Porteus and Sir Joseph Banks, Robert Johnson, a volunteer, was allowed to go out. Seven years later (1794) he was joined by a friend of Charles Simeon, Samuel Marsden (1764-1838), afterwards the first missionary and 'Apostle' of New Zealand, who was sent out to Botany Bay as a chaplain, on the recommendation of Wilberforce. In 1800 Johnson returned to England, and Marsden was left alone, helped neither by civil nor military authorities, and openly neglected by the

Early missions.

rest of the population. He returned to England in 1807 to get help, and obtained an audience of George III., who presented him with some Spanish sheep from his own flock; for Marsden did not neglect to put forward in his interview with the king the material needs and capabilities of the settlement, as well as its spiritual condition. In 1825 he established at Sydney an auxiliary Church Missionary Society to undertake missions among the aborigines of Australia, 'the poorest objects on the habitable globe.' Various attempts were made to civilise the 'black fellows,' but without success; and in 1842 the mission was abandoned.

In 1829 William Grant Broughton (1788-1853) was sent out to Australia as Archdeacon of New South Wales, his diocesan being the Bishop of Calcutta. At this time New South Wales was described by Mr. Justice Burton of the Supreme Court of the colony, as a country in which it seemed 'as if the main business of all the community were the commission of crime and the punishment of it.' Broughton came back to England in 1834 to plead the cause of Christianity in this unhappy colony, and by the exertions of the S.P.G. and the S.P.C.K., seconded by Joshua Watson, the friend of all good works, collected £13,000. Large sums were spent in church building, and no less than thirty clergy sent out. Broughton himself was consecrated in 1836 as Bishop of Australia, and that vast country ceased to be included in the See of Calcutta. The difficulties of evangelising Australia were great. The conditions of a society which included many colonists originally sprung from convicted criminals were disheartening; the country was vast and thinly peopled, the English settlers or 'squatters' were widely scattered; and the aborigines, a dwindling population, were treated in many cases as wild beasts to be exterminated. The white population in the Bush inland were as yet entirely uncared for. Bishop Broughton died in 1853, 'full of years and honours, and carrying with him the respect and veneration of his fellow-colonists.'

Broughton first Bishop of Australia, 1836.

He had given for many years a fourth part of his income towards the extension of the Episcopate in Australia; and with grants from the S.P.G., and the colonists themselves helping, the Sees of Melbourne

Extension of the Episcopate.

(Victoria), Newcastle (New South Wales), and Adelaide (South Australia) were constituted in 1847, Broughton's own metropolitan diocese taking the name of Sydney (New South Wales). Bishop Tyrrell of Newcastle (consecrated 1847), the area of whose diocese was four times that of the British Isles, though only one-quarter of it was inhabited, laboured till his death in 1879, when he bequeathed all his fortune in New South Wales and Queensland for the endowment of diocesan institutions. He was indefatigable in visiting every part of his immense diocese, often riding on visitation two or three hundred miles, and sometimes a thousand or more. He was a builder, not merely a founder, and left behind him 'not missions, but settled parishes.' The gold discoveries in New South Wales and Victoria in 1850 and 1851 multiplied the population of Australia, and with it the responsibilities and difficulties of the Church. To meet these difficulties the S.P.G. sent out Edmund Synge, one of the most devoted of the travelling missionaries who spent their lives on foot and on horseback, ministering to scattered shepherds and gold-diggers, contented with a small harvest, and little known to their countrymen at home; like those servants of the State who do their daily judicial or administrative task with little recognition from the world, which applauds and rewards viceroys and governors. Synge in his first New South Wales journey walked on foot three thousand five hundred miles; his plan was to remain a week in one district, holding frequent services during his stay. His work resulted in the establishment of the diocese of Goulburn in 1863.

Charles Perry (1807-1891), first Bishop of Melbourne, was educated at Harrow and Cambridge, where he graduated in 1827 as Senior Wrangler. He was a disciple and friend of Simeon, and a strong Evangelical. The colony of Victoria, to which he went out as Bishop of Melbourne in 1847, was at that time a thinly inhabited pastoral country. In 1854 the Victorian Legislature gave power to the Church of that colony to provide for its own affairs; and a Church Constitution was framed, which has furnished a precedent for other churches. As the population increased new sees were founded; the diocese of Melbourne became the province of Victoria; and Ballarat became in

Province of Victoria.

1875 the first of several dioceses erected under the metropolitan See of Melbourne; the colonists have not been backward in supporting the Church, which since 1875 has been self-supporting.

Province of Queensland.

The colony of Queensland was formed in 1859, and the diocese of Brisbane at the same time. Northern Queensland was still part of the diocese of Sydney. Here, as in other districts, it was felt that 'white heathenism' called for the care of the Church even more than 'black heathenism.' The diocese has, since 1859, been divided by the creation of the Sees of North Queensland (1878), Rockhampton (1892), and Carpentaria (1899); and a bishop has been placed in New Guinea. In Queensland the native labourers imported from Polynesia have come under the care of the Church; missionary industrial schools have been set up for the children of the aborigines, and the clergy have taken the lead in protesting against their ill-treatment. One of the difficulties which hindered the progress of Christianity and peaceful colonisation in Australia was the existence of the native population, the aborigines or 'black fellows.' Though varying in development, they are for the most part a low type of savages, and are greatly diminished in number since the arrival of European settlers. Great numbers of them were killed down by the squatters who occupied their lands: but in South and Western Australia they were always protected both by the colonial Governments and by the Church. Among those who have devoted themselves to the aborigines, John Gribble and Kennett deserve especial mention.

South Australia.

The founders of the colony of South Australia in 1834 took out with them a chaplain, C. B. Howard, who was maintained for a time by the S.P.G. The Church prospered, and in 1847, chiefly by the liberality of Miss Burdett Coutts, the Bishopric of Adelaide was founded, to include South Australia and Western Australia, and Augustus Short was consecrated Bishop. The clergy exerted themselves to check the horrible cruelties which were exercised upon the natives, with the result that several whites were tried for murder, and four of them condemned to death. Bishop Short was a friend of the Australians, and

spoke of them as a race of good capacity, and able already to hold their own with white settlers in farm labour, even where skill is required, as in ploughing, felling timber, and sheep-shearing.

Western Australia was, in the first instance, a convict settlement (1826), but in spite of this unfavourable origin, the colony bore a good reputation. The work of evangelising was pushed forward in all quarters, till, in 1857, Western Australia was separated from Adelaide and formed into the diocese of Perth. Under Bishops Hale and Riley, Canon Garland, E. Colbeck, and others, much useful work has been done among the natives of Western Australia, who are of a higher type than those of the south; and the Societies have not been backward in helping. The Australasian Board of Missions has taken up the cause of the natives in all parts of the continent; and in certain districts they have been gathered into communities with a Government grant of a 'run' for breeding cattle or sheep, and districts and Christian villages have grown up, ministered to by missionaries.

Western Australia.

The early history of Tasmania, or Van Diemen's Land, is an ugly chapter in the history of the relations between white men and black. The island was not added to the British possessions till 1803, when it was made a convict settlement. Soon after this a war of extermination began, carried on chiefly by bush-rangers, which only ended by the deportation of the remnant of the natives to Flinders Island in Bass Strait. There they decreased in numbers, until 1876, when the last survivor of the race died. Two churches were built, at Hobart Town and Launceston, in 1834, and in following years more churches and parsonages were built, in spite of the danger from bush-rangers. Sir John Franklin, when Governor, with the aid of a grant of £2500 from the Society for the Propagation of the Gospel, succeeded in establishing Tasmania as a diocese, to which Francis R. Nixon was consecrated as bishop in 1842. At this time nearly one-third of the population were convicts or criminals whose time had expired, many of whom had become bush-rangers. The Bishop spoke in 1847 of a degree of wickedness among the convict gangs unexampled in the annals of the Christian world. So dreadful was the

Tasmania.

labour and the sense of irremediable hopeless degradation, that they seemed doomed to have in this world a foretaste of hell. More clergy were provided, the curse of transportation was removed in 1853, and the Church began to hold up its head. Tasmania was the first of the Australasian colonies to maintain a self-supporting church and to undertake missionary work in New Guinea and Melanesia.

Constitution of the Australian Church.

The Church of England in Australia and Tasmania, which is the official title of this branch of the Anglican Communion, now consists of the three provinces of Sydney (New South Wales), Melbourne (Victoria), and Brisbane (Queensland), each conterminous with a State of the Commonwealth, and containing four or more dioceses. Four independent dioceses, Tasmania, Adelaide, Perth, and Bunbury, are not as yet subject to metropolitan authority. The Primate is elected by all the bishops from among the three archbishops; at present the Archbishop of Sydney holds that dignity. All bishops take the oath of canonical obedience to their Metropolitan, or if they have no Metropolitan, to the Primate, not to Canterbury.

Characteristics.

The churches of Australia have become self-supporting and almost independent of the mother country, except so far that there is a presumption in favour of the subordination of the colonial church law to the law of the Church of England as interpreted by a Council of Reference consisting of the Archbishops, the Bishop of London, and four laymen learned in church law; and it is certain that the spirit of independence will increase with the times. 'The same desire,' writes Archbishop Donaldson, 'to realise its individuality and to work out its ideals, which is found in the Commonwealth generally, is present also in the Church.' The history of the Church in all parts of the Australian continent is similar: in every district material and social conditions have changed, and alternations of commercial prosperity and depression have altered the material conditions of the churches. They have been affected also by the gradual emancipation of the Church from the secular power, and the diminution or extinction of home control, and have had to encounter difficulties and changes arising from secularism and socialism, and the disappearance of the Church-and-State

theory. Democratic conditions have worked to bring different denominations of Protestants nearer together; and while the Church has preserved its predominance, it is acknowledged that its 'direct secular influence' must be expected to decline. But in spite of materialism of all kinds, 'Christian public opinion does still dominate the land . . . the prospect is full of hope, though the circumstances are changed.'

The Synod of the Australian Church consists of three orders, bishops, clergy, and laity; its powers are plenary, within the limits of the written Constitution. The three orders vote severally, and no canon or constitution is valid unless all the orders approve. Canons so passed are the law of the Church, and binding upon all its members. Lay members of the Church enrolled in the registers of their parishes elect the lay representatives; all archbishops, bishops, beneficed or licensed clergy are *ex officio* members of the Synod. The management of diocesan and parochial funds is controlled by the Synod. Presentation to benefices takes place through a Presentation Board consisting of clergy and laity, elected annually by the Synod and the parishes, subject to the approval of the Bishop. In matters of ritual, the Prayer Book and rubrics are the guide. The interpretation given by the English Courts is generally accepted, but not universally. Breaches of ritual are tried by a tribunal consisting of clergy and laity appointed by the Synod. For doctrines, the Synod appoints a Committee, annually elected. Questions of heresy belong to the whole Church of England, but within its competence would be dealt with by the tribunal appointed by the Synod.

Powers of the Synod.

The religious connexion of the colonial churches with the mother church involves the possibility of divergence in doctrine, ritual, and discipline among the churches in communion with the Church of England; and this difficulty is complicated by the different views which may be and are taken of the limits of episcopal authority, whether inherent in the office of bishop or exercised by the Bishop as Ordinary, of the validity of canon law and of the Canons and Constitutions of 1604 and 1662, of the authority and the interpretation of doctrinal

Relations with the mother church.

statements and rubrics, and of the whole body of post-Reformation law and custom. Such an institution as the Pan-Anglican Synod helps to maintain unity: but no central or superior synodical authority exists or is likely to exist which can give commands. Synodal government is now established in all independent churches; and submission to the King in Council and the English ecclesiastical courts or their recorded judgments are matters not ordered by any superior law, nor always laid down in the Constitution drawn up and accepted by the particular church. Hence arises much diversity of jurisdiction. In most cases a Constitution has been drawn up, the acceptance of which is a condition of membership; and conditions of membership generally, if they are disputed, and if questions of the tenure of property are involved, are subject to interpretation by the ordinary civil courts. The growth of the colonial churches is recent and gradual, conformed to the circumstances of each particular colony, and subject to no control from home.

New Zealand.

In no part of the Empire has the Church prospered more in bringing the Gospel to the natives than in New Zealand and Melanesia. The conditions of Christian life and church expansion among European settlers are much the same as in other colonies; but the Maori race is specially accessible to Christian influence. Samuel Marsden, while at Botany Bay, fell in with some Maoris, who had come over from New Zealand; he was inspired with the idea of bringing Christianity to their islands, 1000 miles distant from Australia, and in 1808 he applied to the Church Missionary Society on their behalf. In 1814, a few Christian mechanics were settled in New Zealand to teach the natives the arts of civilised life, and so to introduce among them the knowledge of Christ. Marsden bought a ship, the brig *Active*, at his own charges, on board of which he accompanied a small party sent out by the C.M.S. to the northern island, and preached on Christmas eve the first Christian sermon ever heard in New Zealand, on the text, 'Behold, I bring you glad tidings.' He paid seven visits to New Zealand between 1814 and 1837. In 1822 Henry Williams (1792-1861), formerly an officer in the Navy, went

to New Zealand to begin a mission, with instructions from the Church Missionary Society. He forbade his missionaries to use arms even in self-defence; they were to consider themselves, humanly speaking, at the mercy of the natives. It was by the influence of Williams, his brother William, and their wives that the Maori tribes, in 1840, submitted to the sovereignty of Queen Victoria, and that a native war was avoided. The Maori nation was converted; there was need of a bishop, of more clergy, and of a native clergy.

In 1839 it was decided that a bishop should be appointed; and when, in 1840, New Zealand became a British colony, Lord John Russell, the Colonial Secretary, gave his consent; the C.M.S. promised £600 a year till a permanent endowment could be found, and Government met this with an equal sum. The nomination of a bishop was practically in the hands of Bishop Blomfield, who was in effect Bishop of the whole of the British colonies. As we have seen, it was by his practical wisdom, seconded by Archbishop Howley, that the Colonial Bishoprics Fund was established in 1841, and that the Archbishops and Bishops undertook the charge of the fund for the endowment of Bishoprics in the colonies. George Augustus Selwyn (1809-1878), of St. John's College, Cambridge, was nominated, and accepted without hesitation an office for which he was singularly fitted by character and training. Selwyn was a moderate Churchman; though he had the reputation of being a member of the tractarian party, he had never read the Tracts. His appointment caused alarm to the evangelical party, but was not opposed; and before he left England, in December 1841, he established cordial relations with the C.M.S., as well as with the S.P.G. and S.P.C.K. Selwyn's life covers a period of progress and activity in religious and secular affairs, the starting-points of which are the Reform Act of 1832 and the Oxford Movement of 1833. Different in principle, a like activity inspired both; and as secular colonisation never moved faster than at this period, so spiritual colonisation did not lag behind.

G. A. Selwyn, first Bishop of New Zealand, 1841.

A story told of Selwyn as an Eton boy is characteristic of his good-humour and energy, and his power of leading and inspiring. The Selwyns were always prominent on the river.

As the last comer to the boat-raft got the worst oar, and was sulky in consequence, Selwyn made a point of coming last himself. 'It is worth my while taking that bad oar. I used to have to pull the weight of the sulky fellow who had it; now you are all in good-humour.' 'He was always first in everything,' said his schoolfellow Harold Browne, 'and no one ever knew him without admiring and loving him.' Eton College, at that time the home of a traditional high-and-dry orthodoxy, was invaded by the new learning from Oxford. After taking his degree Selwyn resided at Eton as private tutor to Lord Powis's sons; his friends Edward Coleridge, Charles Abraham, James Chapman were masters, and Edmund Hobhouse, Richard Durnford, William Ewart Gladstone, and Judges Coleridge and Patteson were Eton men, all full of the missionary zeal which led some of them to follow Selwyn's example in the Southern Seas. Edward Coleridge was the moving spirit in forwarding the New Zealand mission. His genial, forcible, enthusiastic temper knew nothing of discouragement and disappointment. The missionary spirit which was thus fostered at Eton, and which embraced Selwyn and his friends with a bond of brotherhood, was not only kept alive by a high spirit of self-devotion, but enlivened by a freemasonry of classical cultivation, athletics, good spirits, and a common stock of Eton associations. This band of friends shared the exhilaration which comes with the rising wave; and Selwyn and his companions rejoiced in bringing to the South Seas apostolical doctrine, untainted by Roman or Puritan error. They were inspired and instructed by the *Library of the Fathers*, in which they found the ideal of patristic Christianity, fierce against heresy, strong in apostolic order and ecclesiastical organisation, autocratic with St. Leo, militant with St. Ambrose, dogmatic with St. Augustine; a dominant clergy, an obedient laity; and this ideal they hoped to realise in a missionary church planted among a simple race.

Selwyn at Eton.

The Waimaté, situated on the eastern coast of the northern island, the scene of Samuel Marsden's settlement, was chosen by Selwyn as the headquarters of the new mission. He spoke in high praise of the C.M.S. mission already in possession of the place, its four hundred

The Waimaté.

communicants, the zealous and able clergy, a community in which there was much to commend and little to reprove. The Church Missionary Society had indeed gone far in converting and civilising the Maori nation. 'The march of improvement,' wrote Charles Darwin in 1835, 'consequent on the introduction of Christianity throughout the South Seas, probably stands by itself in the record of history.' The conversion of the Maoris had been carried so far by the C.M.S. missionaries, that the complete abolition of heathenism was sure to come with time.

The increase of land hunger, the growth of trading companies, and the inevitable contest of interests, native and European, were among the causes which determined the Duke of Newcastle on a policy of annexation. The chiefs consented, but unwillingly, to accept Queen Victoria's sovereignty. It would have been well if the policy of annexation had been combined with a knowledge of native customs, especially their system of communal land tenure. Quarrels arose about terms of land transfer, which led to bloodshed and at length to war. The Treaty of Waitangi in 1840, accepted perforce by the Maoris, confirmed their fear that their lands would be taken from them.

Annexation of New Zealand.

Selwyn's principle in dealing with the Maori natives was to aim at 'correction of habits.' He did not expect or desire a European form of religion among them; nor, on the other hand, was he content with a mere emotional piety. The Gospel they already had; Selwyn wished to add to this the framework of Church order, a system which involved design, order, administration, concentration, and a *Cathedra* or 'Bishop's stool,' from which commands should be issued. He founded a college and mission school at Auckland, and removed his own residence there. He did not require that all heathen practices should be given up at once. He thought polygamy better than unlicensed living; he did not prohibit war-dances, wearing of weapons, or such fashions of dress as the people themselves considered decent. To train up native Christianity was, he thought, to follow the example of St. Paul, who would not impose Judaism upon Gentile converts. His method of evangelising his immense diocese was to

Selwyn's methods.

visit every part of it in person, for which purpose he used a steamer, given to him by friends in New Zealand and at home, in which he navigated uncharted seas and travelled many thousands of miles. He was often his own pilot in these unknown and dangerous waters, and the 'skipper-bishop' was always trusted by his crew. His practice was to get the natives to lend him their sons to be taken to the College at Auckland, and there trained either as clergy or as good servants of the Church. It was Selwyn's rule not to inquire into religious differences. In the island of Kawan, for instance, he found a mixed community, with a chapel in which sometimes the Wesleyan missionary preached, sometimes a local volunteer, sometimes the Bishop himself. This is difference in agreement, a better thing than 'agreeing to differ'; but there are few ecclesiastics like Selwyn and Patteson, who can refrain from 'forbidding.' There is much wisdom in his saying, 'teach truth rather by what it is, than by what it is not.' In spite of his high episcopalian views, he never interfered, if he found a mission already established in any of the islands which he visited.

He returned to England in 1854 to obtain powers for subdividing his diocese by creating the sees of Canterbury and Wellington, and especially for establishing the See of Melanesia. Money was not wanting: the See was endowed with £10,000, the schooner *Southern Cross* was built and presented to the new see as a mission ship, part of the cost being a gift from Miss Yonge of the whole profits of the *Daisy Chain*.

Melanesian mission, 1855.

The wars which began about that time ruined much of Selwyn's work, and broke up the missionary organisation of forty years. But the wonderful success of Patteson among the thousand islands of his oceanic diocese revived Selwyn's spirit. In 1863 the great New Zealand war broke out. In all these events the missionaries had a difficult part to play. The sympathies of the missionaries were with the natives, whose rights they understood better than the settlers. They were suspected by both parties. The alienation of the Maori race and its concentration in the northern island was one of the chief sorrows of Selwyn's life. When he came to England in 1867, after twenty-six

Maori wars, 1855-1863.

years of work in the South Seas, instead of one bishop there were now seven. Theological training schools had been established, and the foundation of a native ministry laid. While in England at this time he accepted, though most unwillingly, the offer of the See of Lichfield, vacant by the death of Bishop Lonsdale. He did good work in his new position, but there was little opportunity for a home bishop to display the great qualities which so eminently fitted Selwyn to be an evangelist and apostle of the heathen; at Lichfield there were no forests to be felled, no rivers to be swum across, no cannibals to be tamed.

Selwyn's fellow-worker, 'Coley' Patteson (1827-1871), was sent to Eton in January 1838 as an oppidan, boarding in the house of his mother's brother, Edward Coleridge. Here he breathed a religious atmosphere, as at his own home, and was nurtured in the free outdoor life of the school. Though not naturally of studious temperament, Patteson was a dutiful worker and a fair and not unsuccessful scholar; he was one of the best cricketers in the school, a Christian boy of the simplest and manliest type. The wish to follow Selwyn, early entertained, did not take definite shape till after his ordination in 1853, when he formed, but did not make known, the design of offering himself for missionary work, if it was not forbidden by his duty to his home, a duty always held by him as most sacred. Meanwhile, having gone up to Balliol in 1845, he passed through the ordinary course of a reading man at Oxford, declining an invitation to play in the university Eleven, and obtained a second class in the honours examination of 1849, and a Fellowship at Merton in 1852. A little later, with his cousin Arthur Coleridge, at Dresden, he was studying Hebrew and Arabic. Of German he already knew enough to dispense with lessons; and he writes with characteristic modesty, 'I feel that I have a knack rather (if I may so) of laying hold of these things.' This 'knack' was developed later in life into an almost unique power of acquiring new languages in an extraordinarily short time. In 1854, Bishop Selwyn being in England, the idea of giving himself up to the life of a missionary returned. The Bishop invited him solemnly to the work, and the matter was settled. He left England on

John Coleridge Patteson.

March 28, 1855. He travelled from island to island, making new friends and learning new languages wherever he went. The types of language in those regions are numerous, and each language is divided into many variations of dialect; a single small island may have four or five dialects, varying from village to village, and constantly shifting.

Consecrated Bishop of Melanesia, 1861.

It was from the first the intention of Bishop Selwyn that Patteson should be consecrated to the See of Melanesia. He himself had no thoughts of state and dignity, and laughed at the notion of knee-breeches and buckles; as for English ideas of a palace and an income of £5000, that sum was the capital value of the endowment, and his palace was a cottage built by savages. He was consecrated bishop by his spiritual father Selwyn, and Selwyn's friends and fellow Etonians, Abraham and Hobhouse, on Sunday, February 24, 1861, St. Matthias' day, in St. Paul's Church, Auckland. 'I almost fear to write that I am a bishop in the Church of Christ,' he writes to his father; 'May God strengthen me for the duties of the office to which I trust He has indeed called me.'

Dangers among the islands.

The murder of Mr. and Mrs. Gordon at Erromango, in May of that year, brought before his mind the perils of his vocation. 'It may happen,' he wrote, 'that some poor fellow who has a good cause to think ill of white men, or some mischievous badly-disposed man, *may* let fly a random arrow or spear some day. If so, you will not so very much wonder, nor be so very greatly grieved.' At Santa Cruz, in 1864, his boat was attacked, and three natives were killed; one of these was a pupil, Fisher Young, of whom the Bishop writes, 'He was my boy: I loved him as I think I never loved any one else.' He wrote, referring to this incident, 'There are very few places where I can feel, humanly speaking, secure against this kind of thing. I shall (D.V.) be very cautious. I dare say I was becoming presumptuous . . . it is hard to see a wild heathen party on the beach, and not try to get at them.' This kind of reasoned courage is in its way more admirable than the courage of the soldier, since it is not sustained by excitement or comradeship; it is solitary, not collective, and takes account of the danger which it despises; there is also more

sense of responsibility in risking, with one's own, other lives which are not bound upon the same venture.

Patteson was in no hurry to turn savages into Christians or converts into missionaries. He ordained but one native, George Sarawia, in the whole of his episcopate. In the same spirit he insisted on the rule that the 'superior race' must lead, not drive. 'It is contrary to the fundamental principle of the mission that any one should connect with the idea of white men the right to fag a black boy.' But he was under no illusions about the natives: 'Our difficulty is in training and organising nations, raising them from heathenism to the life, morally and socially, of a Christian. That is what I find is hard.'

His principles of work.

A great hindrance to the Bishop's beneficial work in bringing young people from the islands to be trained at mission stations, was the action of certain traders who kidnapped natives to work in the plantations in Queensland and elsewhere, under the pretext of acting for the Bishop. Patteson set himself manfully against this man-stealing. He did not advocate entire suppression, but strict regulation of the system of native labour. He was obliged to be more cautious as the slave trade grew, since the labour market demanded more victims, and the traders found it increasingly difficult to get natives to come willingly. At the island of Florida, in July 1871, a number of islanders were killed and beheaded, and their bodies thrown to the sharks. It was the need of the Bishop's presence to check such atrocities as far as possible, which made him decline the unanimous request of the New Zealand bishops that he should go home to recruit his strength in 1870. He was worn out with sleepless nights and cough, wearied with the crowd and the incessant talking, 'never alone, night or day.'

The labour trade.

On September 18, 1871, he set sail from the neighbourhood of Santa Cruz for Nukapu, an island belonging to the same group. 'I am,' he wrote, 'fully alive to the probability that some outrage has been committed here. . . . I am quite aware that we *may* be exposed to considerable risk on this account. But I don't think there is very much cause for fear.' How much cause for

Patteson's death, 1871.

fear there was, was soon to be shown. 'On the 20th,' says a native pupil, Edward Nogale, 'as we were going to that island where he died, but were still in the open sea, he schooled us continually upon Luke ii. iii., up to vi. . . . And he preached to us continually at prayers in the morning every day, and every evening on the Acts of the Apostles, and he spoke as far as the 7th chapter, and then we reached that island. And he had spoken admirably and very strongly indeed to us about the death of Stephen, and then he went up ashore on that island Nukapu.' Canoes were seen hovering about the reef, and the Bishop went out in the boat to meet them. The people, writes Miss Yonge (whose account is here abridged), recognised the Bishop, and when he offered to go on shore they assented. Two men proposed to take the Bishop into their boat. The tide was low, and the boat's crew could not cross the reef; but they could see the Bishop land on the beach, and there lost sight of him.

Suddenly, at about ten yards off, without any warning, the natives in the canoes began shooting as quickly as possible, and three out of the four in the boat were wounded. They got back to the ship, but his friend Atkin insisted on going back to find the Bishop, as he alone knew the way by which the reef could be crossed. About half-past four two canoes rowed towards them; one of them, with a heap in the middle, drifted in their direction, and they saw that it bore the Bishop's dead body, rolled in a native mat, which was secured at the head and feet. A palm leaf was fastened over the breast, and when the mat was opened there were five wounds. There were five knots made in the long leaflets. His death was the vengeance for five natives stolen from Nukapu, and believed to have been killed. 'Blood for blood' is a sacred law, almost of nature, wherever Christianity has not prevailed, and a whole tribe is held responsible for the crime of one man.

Thirty-six years later Bishop Wilson spent a week on Nukapu with a party of native scholars. He found the people shy of speaking about Patteson's death, but gradually ascertained the facts. After much talking in a hut, the Bishop had lain down to rest, and many young men ranged themselves round the wall. A man then crept

Bishop Wilson's account.

in and stole up to the Bishop, and killed him with one blow of a club. The natives all ran away, and soon the murderer also ran into the bush. He was a brother of one of the five men who had been captured, four of whom escaped from Fiji and returned home. Bishop Wilson was told that women prepared the body, whilst men dug a grave on a small promontory. The body was being carried to it in a canoe when the islanders were alarmed by the approach of the ship's boat, and pushed off the canoe towards it. The Bishop's three companions died of their wounds, two of them within a week, in terrible convulsions of tetanus. The life and death of the martyrs was not without fruit. 'By God's good providence Coleridge Patteson had so matured his system that it could work without him.'

Patteson's death drew the attention of the world to the South Sea slave trade, which was so far worse than the negro trade, though in details not equally atrocious, in that the victims belonged to a higher and more sensitive race, and that the traffic was carried on under the pretence of free labour. The English Government kept closer guard, and sent ships to the Pacific to put down this form of piracy and man-hunting, and impose proper regulations upon the conditions of Kanaka labour. Meanwhile the mission, under the charge of the Rev. Robert Henry Codrington, grew in men and in funds; a mission ship was built, and in 1873 new missionaries came to help Dr. Codrington, who remained in the islands till 1887, and is now occupied in his home at Chichester in translating the Scriptures into some of the many languages current in the vast archipelago.

South Sea slave trade.

Dr. Codrington was pressed by Bishop Selwyn to succeed Patteson as bishop, but declined the offer; and Selwyn's son was elected Bishop of Melanesia. John Richardson Selwyn was consecrated at Auckland on Sunday, February 18, 1877, and accepted as his mission the task of avenging Patteson's death by converting the inhabitants of Santa Cruz and Nukapu, the scene of his martyrdom. Soon after his arrival he set sail for his diocese in the mission ship which had been given to the mission as a memorial of Patteson. In 1884 he put up a memorial cross on the scene of Patteson's death, with the help of

J. R. Selwyn, Bishop of Melanesia, 1877-1892.

the islanders themselves. He founded the central school at Norfolk Island, which is supplied with scholars by the missionary ship cruising about the islands. Dangerous illness compelled him to return in 1892, and the Rev. Cecil Wilson, of Jesus College, Cambridge, became Bishop of Melanesia. Selwyn lived for some years more as the honoured and beloved Master of Selwyn College, Cambridge, but never recovered health and strength.

The incidents of mission life in this immense ocean of islands are varied and interesting enough for those into whose life they come, but would be monotonous to record. Among the difficulties may be reckoned the common conditions of savage life, superstitious fear, suspicion, resentment, and revenge; a long tradition of customs which include slavery, head-hunting, and cannibalism, besides the innumerable and obscure sanctities of *tabu*, and the instability of the native character. Many are the perils and hardships of those who undertake missionary life, balanced by no small rewards. The connexion of Eton College with the mission-field in the South Seas has always been maintained. Most of Selwyn's companions, like himself, were Eton men; so were Patteson and John Selwyn, and not a few of the missionaries who served under them. It was not merely a public school sentiment; the missions to New Zealand and Melanesia were originated and fostered by the Society which meets annually at Eton on St. Barnabas' Day for a service in the College chapel, and to receive reports from the clergy who are doing the active work of the mission.

The Eton mission.

The Sandwich or Hawaiian islands were discovered by Captain Cook in 1778. The inhabitants, a fine race of the Malayo-Polynesian stock, were ruled by several generations of a remarkable family of kings, one of whom, Kamehameha II., in 1819 destroyed at a blow all the idols in his dominions, and abolished *tapu*. Congregationalist missionaries from America and from the London Missionary Society soon visited Hawaii, as well as from Roman Catholic and Anglican sources; but no permanent religious settlement was made owing to religious, political, and international jealousies till the accession in 1855

Sandwich Islands.

of Kamehameha IV. and his wife Emma, who adopted the religion of the Church of England, and in 1866 asked that a bishop should be sent out to them. Bishop Staley arrived at Honolulu in 1862, and was supported by the King and Queen, who did their best to improve the religion and morals of their subjects, and welcomed an English sisterhood among them. After her husband's death Queen Emma, a high-minded and intelligent woman, visited England, and was received with great distinction. The native race is diminishing fast, and its place has been taken by a half-breed population. In 1898 the islands were annexed by the United States, and in 1902 the bishop and his clergy passed under the jurisdiction of the American Episcopal Church.

North America.

Church organisation is of an early date in North America, where the first see founded was that of Nova Scotia in 1787, and the bishops of Nova Scotia did their best under much discouragement among the white settlers thinly scattered over great tracts of forest and waste, inhabited by roving tribes of Indians, as well as among the Indians themselves. Schools and churches were built, and the Indians, as they began to live a more settled life, were cared for.

Canadian Sees.

In 1793, Canada was separated from the see of Nova Scotia, and John Jacob Mountain (1749-1825) was consecrated Bishop of Quebec. Mountain was a strong royalist; and to reward his services to the loyal refugees from the United States, George III. built a church at Quebec in 1801, and constituted it the cathedral of the diocese. Here the Bishop introduced cathedral services on the English model, and in all ways strengthened the church within the borders of his diocese. His son, George Jehoshaphat Mountain (1789-1863) was consecrated as coadjutor Bishop of Montreal, in the diocese of Quebec, in 1836. When Montreal was divided in 1850 he chose the poorer and more laborious See of Quebec for himself. He travelled immense distances to outlying settlements in dangerous lands, never sparing himself. He took great interest in education, and by his means many grammar schools

were founded in the diocese, as well as Bishop's College at Lennoxville for the training of clergymen.

Among Churchmen whose work in North America is worthy of commemoration none stand higher than Stewart and Strachan. Charles James Stewart (1775-1837), son of the Earl of Galloway, a Fellow of All Souls', gave up good preferment in England in 1807 to work for the Society for the Propagation of the Gospel in Canada. His personal religion, which took the outward form of severe asceticism, appealed to settlers living a hard life in a savage country. In 1826 Stewart was consecrated to succeed Mountain as Bishop of Quebec. John Strachan (1778-1867), brought up as a Presbyterian and educated at Aberdeen, took orders in the Church of England in 1803, and in 1839 became Bishop of Toronto, which diocese was formed by dividing that of Quebec. He was prominent among those clergymen who worked in Toronto during the plague of cholera in 1832 and 1834. To him is due the foundation of Trinity College at Toronto for the training of clergy. Since 1839, when Toronto was formed out of Quebec, many dioceses have been constituted, Huron in 1857, Ontario in 1861, Algona, among an Indian population north of the Lakes, in 1873, Niagara in 1875. In 1845 the province of New Brunswick was made a bishopric, and John Medley (1804-1872) appointed Bishop of Fredericton. One of Bishop Medley's first acts was to build a cathedral with free seats, and to institute daily services and frequent communions.

Another Mountain, Jacob George, a grandson of John Jacob Mountain, also deserves mention as having devoted his life to the cause of the Gospel. He was an Eton man, and Newcastle scholar there, who left prospects of good preferment at home to work where labour was hardest and least attractive—among outlying settlements of poor fishermen on the inhospitable shores of Newfoundland. He was a learned student of Augustine and Bernard, a stern ascetic, but of winning manners. Little was done in Newfoundland till 1839, when Aubrey George Spencer, a builder of churches and schools, was sent out as bishop. He was succeeded by Bishop Feild, 'whose truly apostolic labours for thirty-two years form a tale of

Newfoundland.

devoted service as glorious as any church or age can produce.' Like Selwyn, he visited unknown and dangerous waters in his mission-ship, the *Hawk*, taking the Gospel to distant settlements; the harvest small, the labourers few. One fact may be recorded here as evidence of the respect and love felt for Bishop Feild. He had succeeded during his lifetime in completing the nave of the cathedral church of St. John's; and in honour of his memory, from two thousand to three thousand men, the crews of a large number of sealing vessels in the harbour, turned out to haul stone, and in a few days collected nearly enough to complete the building, besides contributing large sums of money. Men of all denominations, Roman Catholics, Protestants, and Unitarians, lent a willing hand to the work.

Bishop Mountain visited in 1844 the vast and remote country called Rupert's Land, or Hudson's Bay Territory, extending from Hudson's Bay to the Rocky Mountains. In 1849 Rupert's Land became a diocese, and David Anderson its first bishop. The C.M.S. and S.P.C.K. had never been wanting; and though North America does not lie within the limits originally prescribed for the C.M.S., it has a wide and fruitful field in Manitoba, British Columbia, and the North-West regions, and great developments of missionary work have taken place, the record of which belongs rather to the history of the Church and the Dominion of Canada than to the history of the Church of England. The Dominion is now divided into two provinces, the Metropolitans of which are respectively a bishop chosen by the comprovincial bishops of the province of Canada, and the Archbishop of Rupert's Land. The number of bishops is nineteen.

Rupert's Land.

The connexion between the mother church and the churches of the Empire is at this day as close and affectionate as ever; but each church has its own problems, and must use its own methods to solve them. Circumstances both religious and secular have favoured the extension of the Episcopate; and whereas in 1860 there were no more than thirty-five Anglican bishoprics beyond the seas, there are now one hundred and seven. Colonies have been divided into provinces, and Archbishops

Extension of Colonial Episcopate.

or Metropolitans appointed, at Toronto, Rupert's Land, Calcutta, Sydney, Melbourne, Brisbane, Cape Town, and Jamaica. Besides these, missionary and other bishops subject to the primacy of the Archbishop of Canterbury have been established at certain points within the Empire, as the Falkland Islands, Gibraltar, Singapore, Newfoundland, and in foreign or barbarous countries, China, Japan, Palestine, Madagascar, Polynesia, concerning which no general rule can be laid down; but in all the primacy of Canterbury is rather a matter of advice than command, and depends for its effectiveness to a large extent upon the personal character of the Archbishop for the time being; and in all cases the tendency is towards independence and self-government. The interest of the great missionary societies was never more active than now, nor the Church of England, both at home and in the world, more interested in missionary work; while the organisation of churches in the settled colonies on one model is a factor in the unity of the Empire.

Position of the See of Canterbury.

'A frequent appeal to Archbishop Tait,' said Archbishop Davidson in 1898, 'from America, from Africa, from the Antipodes, was to this effect: "Our church is not yet strong enough to stand alone . . . we are still dependent on the link with England, and especially with Lambeth; help us to maintain it till we are stronger." In Archbishop Benson's primacy, the subsequent stage had everywhere been reached. . . . The position of the Archbishop of Canterbury on all these matters has this peculiarity. His authority, if we can call it so, is almost universally recognised, but it is undefined; it is moral not legal, and its effective exercise depends in no small degree upon the personal weight, tact, and courtesy of the Primate.' Both Tait and Benson showed good sense and Christian feeling in accepting a change of conditions, neither straining to retain authority which was passing from their hands, nor avoiding the responsibility which necessarily attaches to the great position of the Primate of All England. If the Archbishop of Canterbury can no longer exercise metropolitan authority over colonial prelates, the influence and prestige of the patriarchal see has grown with the growth of the colonial

churches, and in a new sense he may still be said to be *alterius orbis Papa.*

Much more remains that is worthy of being recorded; but the limits of this work prohibit all but a meagre outline, and the history of the Church in the British Empire may be read in many books of wider scope and closer detail. A survey of the history of three generations must necessarily leave much untold. The period of time which lies between 1800 and 1890, if measured by events, is longer than the years which number it. The whole aspect of the Church of England has been changed since the time when the Bible Society and the C.M.S. were founded; not only because the Church has been affected by the vast changes in material, social, and intellectual conditions which have taken place in the course of a century, and which, among other results, brought the Church from the country into the town and from privacy into publicity, but because it has been more than ever the battle-ground of two opposing principles —authority and reason, dogma and science; a contest neither old nor new, but eternal, presented in our times under other forms than those which vexed former generations. Marsh and Milner disputed concerning sacramental doctrine; Keble and Arnold, Newman and Hampden, on the historical ground of Apostolical Succession and the theological ground of Church authority and Bible authority; with those who carried on the combat, Pusey and Liddon, Jowett, and Stanley, the Real Presence and the priesthood the principle of private judgment and the pretensions of science were grounds of contention. We cannot say what form the contest will yet take; the future, whether of compromise, comprehension, or toleration, is far distant. The present contest looks, in one direction, towards Rome, in the other, towards the conclusions of science, which would reduce spiritual phenomena to material terms.

Survey of the period.

The opportunity and the danger of the Church of England lie in its relation to the mass of the people. The Church is not fully aware of its social power among the masses. How great that power may be has been shown in the lives of many

clergy, among whom Lowder and Dolling are conspicuous, and the army of Sisters in every English city, whose lives are spent in continual and close contact with poverty and crime, and for whom degrees of class do not exist. The traditions of the Church are aristocratic and hierarchical, and it has much to learn from the democracy. Its connexion with the gentry is an advantage, but also a danger. So is its right of access to the poor through the parochial system, and the ubiquity of pastoral opportunity, which carries with it a large share in the education of the young, especially in country districts. The advantage is that of nearness; the danger is in the exaltation of the priestly office, which leads to the temptation of spiritual dictation and to the undue exaltation of sacramental symbols.

In external activity and manifold organisation the Church of England has made a great advance. No Christian community is more nearly in touch with social and humanitarian movements, with education and literature, and knowledge of all kinds. No bench of bishops, no body of clergy in England, has ever enjoyed a higher reputation than the present for learning, practical religion, and devotion to duty. These advantages bring with them responsibilities, which there is no reason to think that the Church is unwilling or unable to meet, whether the tide of democracy should rise and sweep away distinctions by disestablishment, or the ancient and solid connexion of Church and State survive all changes.

NOTE ON THE CONSTITUTION OF THE NEW ZEALAND CHURCH

The Constitution of the New Zealand Church was settled in conference in 1857. The 'Fundamental Propositions,' which are unalterable, are the following:—

1. Acceptance of the doctrine of the Church of England, subject to alterations which may be made by the Church of England in synod, and to the right of self-government in case of the separation of the colony from the British Crown. 2. Government by General Synod, consisting of bishops, clergy, and laity.

The 'non-Fundamental Propositions' empower the General Synod to make rules for election of its members, define the qualification of

electors and representatives elected, conditions of office-bearing, tribunal for doctrine and discipline, court of appeal; they define diocesan synods and their constitution, tenure of property, subscription of obedience to the authority of the General Synod by all office-bearers in the Church.

This Constitution is established 'on the basis of mutual and voluntary compact.'

The Constitution of the New Zealand Church was drawn with the help of Judges Coleridge and Patteson on the lines of the American Episcopal Church, and has been of use as a model in settling the Constitutions of other voluntary Churches, especially that of Ireland.

AUTHORITIES: GENERAL.—As in Chap. XVII. BIOGRAPHIES.—Australia: *Marsden*, by Nicholas; *Broughton*, by Boodle. New Zealand: *Selwyn*, by Curteis. Melanesia: *Patteson*, by Charlotte Yonge; *J. R. Selwyn*, by How. North America: *John Jacob Mountain*, *Feild*, by Tucker.

APPENDIX I

DATES

	A.D.
Exeter Diocesan Synod	1851
Bishops' Pastoral on Ritualism	,,
Meeting of Canterbury Convocation in St. Paul's	1852
Church Penitentiary Association founded	,,
W. J. E. Bennett appointed Vicar of Frome Selwood	,,
Oxford and Cambridge University Commission Report	,,
Community of St. John the Baptist, Clewer	,,
Cathedral Commission appointed	,,
Bishopric of Sierra Leone founded	,,
Braintree Case (Veley *v.* Gosling) decided by House of Lords	1853
F. D. Maurice dismissed from King's College	,,
G. A. Denison's Sermons on the Eucharist at Wells	,,
Sees of Natal (Colenso) and Grahamstown (Armstrong)	,,
Oxford University Act passed	1854
Case of Westerton *v.* Liddell begins	,,
St. Margaret's, East Grinstead	,,
Jubilee of Bible Society	,,
Denison's Case. Court of inquiry at Clevedon	1855
Convocation address the Queen for licence to propose canons	,,
Holy Cross Society founded	,,
Death of Bishop Blomfield. A. C. Tait Bishop of London	1856
Mildmay Conference	,,
Bouverie's Cambridge University Act	,,
Liddell *v.* Westerton; Judgment of Judicial Committee	1857
Divorce Act	,,
Diocese of Perth (W. Australia) constituted	,,
London Biblewomen and Nurses' Mission established	,,
Ditcher *v.* Denison; Judgment of Judicial Committee	1858
Duke of Newcastle's Commission on Primary Education	,,
Riots at St. George's in the East	1859
Bishop Selwyn's Synod	,,
See of St. Helena	,,
Darwin's *Origin of Species*	,,
Riots at St. George's in the East	1860
English Church Union (E.C.U.) founded	,,

	A.D.
Ebury's and Shaftesbury's Ritual Bills	1860
Letters of Business issued to Convocation	,,
Essays and Reviews published	,,
British Association meets at Oxford	,,
See of the Zambesi ; C. F. Mackenzie	1861
See of Melanesia ; J. C. Patteson	,,
First Church Congress held at Cambridge	,,
First deaconesses appointed	,,
Dispute about the Chair of Greek at Oxford	,,
Colenso's *Commentary on the Epistle to the Romans* published	,,
Death of Archbishop Sumner. C. T. Longley of York succeeds	1862
Revised Code issued	,,
Church Congress at Oxford	,,
First part of Colenso's *Pentateuch* published	,,
Judgment in Court of Arches against Williams and Wilson (*Essays and Reviews*)	,,
Judicial Committee's judgment in Long *v.* Gray	1863
Madagascar mission (C.M.S.)	,,
Trial and deposition of Colenso, by Bishop Gray	,,
Cases of Williams and Wilson ; Judgment of Judicial Committee	1864
Proposal to endow the Chair of Greek at Oxford rejected	,,
Protest of 11,000 clergy against P.C. judgment in *Essays and Reviews* ; Deputation of laymen	,,
Action in Convocation. Oxford declaration	,,
Diocesan Conferences begun	,,
Colenso appeals to the Queen in Council	,,
Bishoprics of East Africa and the Niger founded	,,
Mildmay Park founded	,,
Judgment of Judicial Committee in Colenso *v.* Gray	1865
Church Association formed	,,
Clerical Subscription Act	,,
Royal Letters of Business issued to Convocation	,,
Sentence of the greater excommunication on Bishop Colenso	1866
Committee of Convocation, resolutions touching vestments and ceremonies	,,
Death of Keble	,,
China Inland Mission founded	,,
Ecce Homo published	,,
Shaftesbury's Clerical Vestments Bill	1867
Royal Commission on Ritual. Reports (1) 1867 ; (2) 1868 ; (3) 1869 ; (4) 1870	,,
First pan-Anglican conference at Lambeth	,,
Approval by Convocation of Colenso's excommunication	1868
Maguire's motion to inquire into the state of Ireland	,,
Martin *v.* Mackonochie ; Judgment in Court of Arches	,,
Keble College founded	,,
Gladstone's Irish Church Resolution carried	,,
Compulsory Church Rates Abolition Act	,,
Death of Archbishop Longley. A. C. Tait succeeds	,,
Martin *v.* Mackonochie ; Judgment of Judicial Committee	,,
Constitution of Australian Church	,,
Macrorie consecrated Bishop of Maritzburg	1869
Irish Church Disestablishment Act	,,

	A.D.
National Education League	1869
Bishops' Resignation Act	1870
Committee of Convocation for revision of the Scriptures	,,
Wilkinson appointed Missionary Bishop for Zululand	,,
Hebbert *v.* Purchas; Judgment in Arches Court	,,
Elementary Education Act	,,
Bible Revision; Service in Westminster Abbey	,,
Vatican Council. Definition of Infallibility	,,
Sheppard *v.* Bennett; Judgment in Arches Court	,,
Clerical Disabilities Act	,,
Church Reform Union	,,
Representative Body of Irish Church incorporated by Charter	,,
Diocesan Synod at Lincoln	1871
Voysey; Judgment of Judicial Committee	,,
Hebbert *v.* Purchas; Judgment of Judicial Committee	,,
Lord Sandon's Parochial Councils Bill	,,
Universities Tests Act	,,
Lyttelton's Bill for extension of Episcopate	,,
Death of Bishop Patteson	,,
Letters of Business addressed to Convocation for revision of rubrics	1872
Sheppard *v.* Bennett; Judgment of Judicial Committee	,,
Act of Uniformity Amendment (shortened services) Act passed	,,
Ecclesiastical Titles Act repealed	,,
Meeting in St. James's Hall. Athanasian Creed	1873
Establishment of C.E. Temperance Society	,,
Meeting in Exeter Hall, and Declaration of Convocation on Confession	,,
Death of Bishop Wilberforce	,,
R. K. Cornish consecrated Bishop for Madagascar	1874
Bishop Magee's Ecclesiastical Patronage Bill	,,
Public Worship Regulation Act	,,
Boyd *v.* Phillpotts; Judgment of Judicial Committee. Exeter reredos	1875
See of St. Albans founded	,,
Keswick Convention meets	,,
Clifton *v.* Ridsdale; Judgment in Arches Court	1876
Lord Sandon's Elementary Education Act	,,
See of Truro founded	,,
Imprisonment of Rev. Arthur Tooth	1877
Ridsdale *v.* Clifton; Judgment of Judicial Committee	,,
Mission to Uganda	,,
The Priest in Absolution published	,,
Wycliffe Hall, Oxford, founded	,,
Universities Executive Commission appointed	,,
Additional Bishoprics Act	1878
Second pan-Anglican Conference at Lambeth	,,
Royal Commission on Ecclesiastical Patronage	,,
New Lectionary introduced	1879
Schedule of amended rubrics presented by Convocation	,,
Miles Platting case in Arches Court	,,
Report of Convocation Committee on Ritual, Vestments, etc.	,,
Church of England Working Men's Society founded	,,
Cathedrals Commission	1880
See of Liverpool founded	,,

	A.D.
Rev. T. P. Dale of St. Vedast's imprisoned : released 1881	1880
Burial Laws Amendment Act	,,
A. Grey's Church Boards Bill	1881
Rev. S. T. Green (Miles Platting) imprisoned	,,
Revised Version of New Testament published	,,
Ridley Hall and Selwyn College, Cambridge, opened	,,
Final abolition of Clerical Restrictions at the Universities	,,
Ecclesiastical Courts Commission appointed	,,
See of Newcastle-on-Tyne founded	1882
Selwyn College, Cambridge, founded	,,
Death of Dr. Pusey	,,
Death of Archbishop Tait	,,
E. W. Benson Archbishop of Canterbury	1883
Report of Royal Commission on Ecclesiastical Courts	,,
See of Southwell founded	1884
Bishopric of Eastern Equatorial Africa constituted	,,
Revised Version of Old Testament published	1885
Death of Bishop Jackson. Frederick Temple Bishop of London	,,
Convocation approves the creation of a House of Laymen	,,
Pluralities Act (48 and 49 Vict. c. 54)	,,
First Session of Canterbury House of Laymen	1886
Church Association protest against the Reredos in St. Paul's Cathedral	1888
See of Wakefield founded	,,
Third pan-Anglican Conference at Lambeth	,,
Read and others *v.* Bishop of Lincoln at Lambeth	1889
Lux Mundi published	,,
Protestant Churchmen's Alliance formed	,,
First Session of York House of Laymen	1890
Death of Canon Liddon	,,
Archbishop Benson gives judgment in Bishop of Lincoln's case (confirmed by Judicial Committee, 2 August 1892)	,,

APPENDIX II

Sovereign.	Accession.	Archbishops of Canterbury.	Accession.	Archbishops of York.	Accession.	Bishops of London.	Accession.
Victoria . .	1837	John Bird Sumner .	1848	Thos. Musgrave .	1847	Chas. Jas. Blomfield	1828
		Chas. Thos. Longley	1862	Chas. Thos. Longley	1860	Archd. Campbell Tait	1856
		Archd. Campbell Tait	1868	William Thomson .	1862	John Jackson . .	1869
		Edw. White Benson .	1883	Wm. Connor Magee	1891	Frederick Temple .	1885
		Frederick Temple .	1896	Wm. Dalrymple Maclagan . . .	1891		

APPENDIX III

PROVINCES AND EPISCOPAL SEES IN INDIA AND THE COLONIES AND DEPENDENCIES OF THE BRITISH EMPIRE, WITH DATES OF FOUNDATION, TO 1900

ASIA

PROVINCE OF INDIA AND CEYLON

Calcutta (Metrop.), 1814
Madras, 1835
Bombay, 1837
Colombo, 1845
Rangoon, 1877
Lahore, 1877
Travancore and Cochin, 1879
Chota Nagpur, 1889
Lucknow, 1892
Tinnevelly and Madura, 1896
Nagpur, 1903

AFRICA

PROVINCE OF SOUTH AFRICA

Cape Town (Metrop.), 1847
Grahamstown, 1853
Natal (formerly Natal, then Maritzburg), 1853
St. Helena, 1859
Bloemfontein (formerly Orange Free State), 1863
Zululand, 1870
St. John's, Kaffraria, 1873
Pretoria, 1878
Mashonaland, 1891
Lebombo, 1893

AMERICA

PROVINCE OF CANADA

Toronto (Metrop.), 1839
Ontario, 1862
Nova Scotia, 1787
Quebec, 1793
Fredericton, 1845
Montreal, 1850
Huron, 1857
Columbia, 1859
Algoma, 1873
Niagara, 1875
Ottawa, 1896

PROVINCE OF RUPERTSLAND

Rupertsland (Metrop.), 1849
Moosonee, 1872
Mackenzie river, 1874
Saskatchewan, 1874
Athabasca, 1884
Qu'Appelle, 1884
Calgary, 1888

PROVINCE OF THE WEST INDIES

Jamaica (Metrop.), 1824
Barbados and the Windward Isles } 1824 / 1878
Antigua, 1842
Guiana, 1842
Nassau, 1861
Trinidad, 1872
Honduras, 1883

AUSTRALASIA

Province of New South Wales

Sydney (Metrop.), 1836
Newcastle, 1847
Goulburn, 1863
Grafton and Armidale, 1867
Bathurst, 1869
Riverina, 1884

Province of Victoria

Melbourne (Metrop.), 1847
Ballarat, 1875

Province of Queensland

Brisbane (Metrop.), 1859
North Queensland, 1878
Rockhampton, 1892
Carpentaria, 1900
New Guinea, 1897

Dioceses not Forming part of any Province but represented in the General Synod

Tasmania, 1842
Adelaide, 1847
Perth, 1857

Province of New Zealand

Auckland, 1841
Christchurch, 1856
Nelson, 1858
Waiapu, 1858
Wellington, 1858
Melanesia, 1861
Dunedin, 1866

COLONIAL DIOCESES AND MISSIONARY BISHOPRICS HOLDING MISSION FROM THE METROPOLITAN SEE OF CANTERBURY

I. ASIA

Victoria (Hong Kong), 1849
Singapore, Labuan, and Sarawak (originally Labuan), 1855
Mid-China (originally North China), 1872
North China, 1880
South Tokyo (formerly Central Japan), 1883
Corea and Manchuria, 1889
South Japan, or Kyu-Shyu, 1894
Western China, 1895
Osaka, 1896
Hokkaido, 1896

Jerusalem and the East, 1841-1881, re-constituted 1886

II. AFRICA, ETC.

Sierra Leone, 1852
Mauritius, 1854
Zanzibar and East Africa (originally Zambesi; afterwards Central Africa), 1861
Western Equatorial Africa (formerly the Niger district), 1864
Madagascar, 1874
Mombasa (formerly in Eastern Equatorial Africa), 1884
Likoma (formerly Nyasaland), 1892
Uganda (formerly included in East Equatorial Africa), 1897

Gibraltar, 1842

III. N. AND S. AMERICA

Newfoundland and Bermuda, 1839
Columbia, 1859
The Falkland Islands (S. America), 1869
New Westminster, 1879
Caledonia, 1879
Kootenay, 1899

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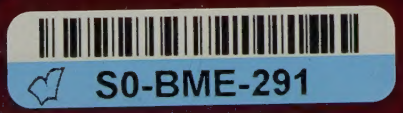
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